





**NATIONAL ARCHIVES MICROFILM PUBLICATIONS**

**Microfilm Publication M1650**

**APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS,  
MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE  
FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896**

**Roll 19**

**Creek Applications 1 - 166**

**The National Archives  
National Archives and Records Administration  
Washington: 1992**

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS,  
MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE  
FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

On the 54 rolls of this microfilm publication, M1650, are reproduced applications for enrollment in the Five Civilized Tribes under the act of June 10, 1896. These applications, housed in the National Archives-Southwest Region, Fort Worth, Texas, were maintained by the Muskogee Area Office and are part of Records of the Bureau of Indian Affairs, Record Group 75.

Background

On March 3, 1893, Congress authorized the establishment of a commission to negotiate agreements with each of the Five Civilized Tribes--Cherokee, Chickasaw, Choctaw, Creek, and Seminole. The Dawes Commission, named for its chairman, Senator Henry Dawes of Massachusetts, undertook the compilation of a complete Indian census that could be used as the basis for the allotment of tribal lands to individual Indians.

Prior to 1896, the tribes exercised sole jurisdiction over tribal citizenship, but in that year Congress passed an act allowing the Commission to hear and "determine the applications of all persons who may apply to them for citizenship and...determine the right of such applicant to be admitted and enrolled." The Dawes Commission issued notices on July 8, 1896, announcing that it would accept applications for citizenship until September 10, 1896. The application had to be a signed and sworn statement containing all the facts supporting the claim, and the applicant had to provide proof that a copy had been furnished to the tribal chief. Congress required the Commission to make its decision within 90 days of receipt of the application and authorized an appeal process through the recently established U. S. Court in Indian Territory.

The application and appeal process had been underway for two years when Congress passed the Curtis Act on June 28, 1898, (30 Stat. 495). The act authorized the Commission to prepare for each tribe new citizenship rolls that incorporated names



## NATIONAL ARCHIVES MICROFILM PUBLICATIONS

of successful applicants. This "Final Roll" became the only roll used for allotment purposes.

### Records Description

This microfilm publication comprises the applications for enrollment of Cherokees, Chickasaws, Choctaws, and Creeks, as well as those of former slaves (freedmen) of the Chickasaw and Choctaw tribes. The National Archives has not located any Seminole applications. Applicants to the Commission included Indians by blood; spouses of Indians, although the spouses themselves were not Indians by blood; and freedmen who had formerly belonged to members of the Five Civilized Tribes.

When they were in active use, most applications were filed numerically according to application numbers assigned by the Commission. Applications from Chickasaw and Choctaw freedmen were filed separately from those of other applicants for citizenship in the two tribes. The Commission maintained some applications, called Choctaw-Chickasaw Duplicates, in alphabetical arrangement. Despite their title, these files do not duplicate any of the applications filed numerically.

To facilitate access to the numerically-filed applications, the Commission prepared several indexes. These have been consolidated into one index and are reproduced on roll 1 of this publication.

Typical application files include supporting affidavits, depositions, letters, memorials, answers of tribal attorneys objecting to enrollment, lists of evidence, and receipts for service of papers. Also included are notices of appeal to the U.S. Court in Indian Territory at either South McAlester or Ardmore and a reference to the case number assigned by the court. While several files contain only a receipt for papers signed by the Clerk of the U.S. Court, a few files document in greater detail the applicant's life. Occasionally there are marriage licenses, photographs, and judgments issued by the U. S. court. Some records provide background information on the applicant including name, post office address, age, degree of blood, lists of children and their ages, and other relatives. Every

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document within the application files has been microfilmed.

On the last roll of microfilm are miscellaneous files and applications that were received too late for consideration. These records are not included in the index on roll 1.

Related Records

Related records are found in other series within the Bureau of Indian Affairs, RG 75. The Final Rolls, also known as the "Dawes Rolls," have been reproduced as Enrollment Cards for the Five Civilized Tribes, 1898-1914 (M1186). These enrollment cards include both individuals with tribal citizenship before 1896 and those who were approved for citizenship by the Dawes Commission. The applications for enrollment on the Final Rolls have been reproduced as Applications for Enrollment of the Commission to the Five Civilized Tribes, 1898-1914 (M1301). Records relating to enrollment and allotment for the Five Civilized Tribes, including appeals to the U. S. Court in Indian Territory and cases heard before the Choctaw-Chickasaw Citizenship Court in Tishomingo and McAlester, are housed at the National Archives-Southwest Region (entries #60A-101, and 114-126). Related records for the Five Civilized Tribes are housed at the Oklahoma Historical Society, Oklahoma City.

Meg Hacker wrote these introductory remarks and prepared the records for filming. Volunteers at the National Archives-Southwest Region created the consolidated index.



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APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS,  
MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE  
FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

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1896

CR 1

1896  
CR 1



No. /

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Rachel Gardiner*

VS.

Nation.

Received and filed this

day of

189

Secretary.

BLVD. 108 PINE ST. PORT SMITH.

..... vs. .... Nation, as follows:

WITNESS my hand and official seal at. *Muscogee*  
this the *26<sup>th</sup>* day of *January* 189*7*  
*Jas. C. Wineth.*  
*Clerk*

No 1. 2. 3. 4. 5. 6. 7. 8. 9. 10.  
Rachet Gardner Et al  
vs.  
Creek Nation

(Order of Appeal  
U.S. Court)

## NOTICE.

178

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

ss.

In the United States Court for said District.

In the matter of the application of  
Rachel Gardiner et al  
to be  
enrolled as citizens of the Creek Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

Rachel Gardiner, William Shelton, Nannie Combust, Rachel Moore,  
Ancial Gardiner, Henry Gardiner, Melissa Archer, Rosa Archer Sloan,  
Eliza Plank, Alice Bowman,

to be enrolled as citizens of the Creek Nation, from said

Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 9th day of  
Jan. 1897 A.D. 189

J. A. Brinston Clerk.



**End**

1896

CR 2

1896  
CR 2

No. 2

**RECEIPT**

FOR ORIGINAL PAPERS IN THE CASE OF

*William Shelton*

VS.

*Ort*

Nation.

Received and filed this...

day of

189...

Secretary.

RECEIVED FOR THE SECRETARY OF THE

..... vs. .... Nation, as follows:

V8.

...Nation, as follows:

WITNESS my hand and official seal at \_\_\_\_\_

this the 26 day of.

1897

of *January* 1897  
*Jas. A. Winston*  
 Clerk

**End**

1896

CR 3

1896

CR 3



No. 3

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Nannie Combs*

VS.

*Orin*

Nation.

Received and filed this

day of

189.

Secretary.

RECEIVED JOB PRINT FORT SMITH.

vs. Nation, as follows:

this the 26 day of.

1897

Jas. A. Winston  
Clerk.

**End**

1896  
CR 4

1896  
CR 4

No. *4*

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Rachel Moore*

VS.

*Perk*

Nation.

Received and filed this

day of

189

Secretary.

PRINTED AT THE PRESS OF J. H. HUNT, FORT SMITH, ARK.

vs. Nation, as follows:

this the 26<sup>th</sup> day of January, 1897

this the 26<sup>th</sup> day of January, 1897

f. *January* . . . . . 1897

Gas. A. Winston

*Curb*



**End**

1896  
CR 5

1896  
CR 5



No. 5

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Amiel Gardner

VS.

Clark

Nation.

Received and filed this

day of

189

Secretary.

SEVENTH JOB PRINT PORT SMITH

vs. Nation, as follows:

.. vs.

...Nation, as follows:

WITNESS my hand and official seal at.

this the 26<sup>th</sup> day of

1897

Jas. A. Winston  
 Clerk

**End**

1896  
CR 6

1896  
CR 6



No. 86

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Henry Gardner

VS.

Orin

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR DEPT. OF JUSTICE

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of  
..... vs. .... Nation, as follows:

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Witness my hand and official seal at Newcastle  
this the 26<sup>th</sup> day of January 1897  
Geo. A. Winston  
- Clerk

**End**

1896

CR 7

1896

CR 7



No. 7

**RECEIPT**

FOR ORIGINAL PAPERS IN THE CASE OF

*Malissa Archer*

VS.

*loverk*

Nation.

Received and filed this

day of

189

Secretary.

RECTOR JOE PRIST POST SMITH

..... vs. .... Nation, as follows:

WITNESS my hand and official seal at Muscogee  
this the 26<sup>th</sup> day of January 1897  
Jas. O. Winston  
Clark

**End**

1896  
CR 8

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CR 8



No. 8

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Rosa Archer Sloan

VS.

Oriskany

Nation.

Received and filed this

day of

189

Secretary.

SENATOR JOSEPH PORTER SMITH

vs. Nation, as follows:

WITNESS my hand and official seal at Muskegon  
this the 26<sup>th</sup> day of January 1897  
Jas. A. Winston  
Clerk

**End**

1896  
CR 9

1896  
CR 9



No. 9

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Rachel Gardner*

*Deja Plank* VS.

*Crink*, Nation.

Received and filed this day of

189.

Secretary.

SEALER AND PRINTER

\*\*\*\*\* vs. \*\*\*\*\* Nation, as follows:

WITNESS my hand and official seal at Wincoque  
this the 26<sup>th</sup> day of January 1897  
Jas. A. Winston  
Clerk.

**End**

1896  
CR 10

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CR 10



No. 10

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Alida Bowman*

VS.

*Orin*

Nation.

Received and filed this

day of

189.

Secretary.

SEVATOR JOE FRANK FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of  
..... vs. .... Nation, as follows:

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Witness my hand and official seal at Muscogee  
this the 26<sup>th</sup> day of January 1897  
Geo. A. Winston  
Clerk

**End**

1896

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1896  
CR 11



REPORT OF THE NATIONAL COMMISSION, AMERICAN INDIAN LITERATURE.

Before the Daves Commission, Vinita Indian Territory.

T. E. Adams, a White man,----- Plaintiff.

VS. (Petition to be enrolled.)

The Creek Nation,----- Defendant.

1. Comes the said defendant and says that the plaintiff in this case is a White man and a citizen of the United States and claims the right to be enrolled as a citizen of the Creek Nation because of the inter-marriage with a Creek woman, a native citizen thereof. The said defendant avers and says that the said plaintiff is not entitled to be enrolled because said plaintiff did not by such marriage become a citizen of the Creek Nation under the laws, customs and usages of said Nation and of the Treaties between defendant and the United States.

2. The defendant further says that the plaintiff does not state facts in his ~~affidavit~~ said petition and affidavits thereto attached sufficient to entitle him to be enrolled as a citizen of the said defendant Nation.

3. The said plaintiff has not filed with his said petition evidence of his said inter-marriage.

*At this Creek Nation says that he believes the matters and things set forth in the foregoing answer to be true.*  
S. R. Callahan,

Bunny McIntosh,

Ben T. Duval,  
Attorneys for def't.

*Bunny McIntosh*

*At this Creek Nation says that he believes the matters and things set forth in the foregoing answer to be true.*

*Bunny McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1886  
Witness my hand and private seal not having an  
official seal.

*Notary Public Seal*  
O. P.

*My Comm exp Oct-10<sup>th</sup>/90*

P. M.

**REGISTRY RECEIPT.**

Post Office at Sapulpa I. T.

Registered Letter No. 59 Rec'd 9/5 1896

of Thos E. Adams

addressed Hon. Ralley W. G. Dutosh  
Enfauka I. T.  
John F. Egan P. M.

**Commission to the Five Civilized Tribes.**

Sapulpa Sept 5 1896  
 IND. TER.

See that you swear to your Petition.  
 Evidence of service of copies on the Chief or Governor may be secured as follows:  
 If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, Thos E. Adams, do solemnly swear that on the 5th day  
 of Sept, 1896, I saw a package registered at the post office at  
Sapulpa I. T., addressed Hon. Ralley W. G. Dutosh  
 Governor or Chief of the Creek Nation, Enfauka  
 Ind. Ter., that registry receipt, No. 59, received from postmaster, hereto attached,  
 is a receipt for said package, which contained true copies of the application of  
Thos E. Adams and of the affidavits of Same  
 and W. E. G. Adams in support of same.

Subscribed and sworn to before me, on this 5th day of Sept 1896

John F. Egan  
 Attach receipt to this affidavit and send with papers to the Commission at Vinita,  
 Indian Territory. This takes the place of the former instructions, as we understand  
 that packages are not promptly received for by the Chiefs and Governors.

For the Commission.

COMMISSIONER  
HENRY L. DAVIS.  
FRANK C. ARMSTRONG.  
ARCHIBALD S. MCKINLEY.  
THOMAS E. CATRON.  
ALEXANDER D. MONTGOMERY.  
H. M. JEFFREY.

DEPARTMENT OF THE INTERIOR.

COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS.

Winona St. 9/1/96.

J. E. Adams Esq.  
Sapulpa St.

Dear Sir:

I return papers for  
want of evidence of Service  
of copies on the Chief,

Follow enclosed instructions  
closely and get your  
papers here by next Tues-  
day or you may be too  
late.

Yours,

A. S. McKinnon.

Here you are. Kindly acknowledge.  
Yours truly J. Adams



#400

Thos E Adams

<sup>us</sup>  
Creek Nation

Filed Sept 7<sup>th</sup> 1896

A. M. Kuyner  
att'y

Reg. Ter.

20

T. E. Adams

Sapulpa, Okla.

United States of America  
Indian, Terr. & Judicial Dist.  
of Part: - P. E. Adams.

to the honorable Dower Commissioner  
Vinita Ind. Terr.

The undersigned P. E. Adams  
respectfully represents that he is  
the lawful husband of Dorey E.  
Adams, now deceased, whose  
maiden name was Dorey E. Burrows  
that the said Dorey E. Adams was  
of Muskogee or Creek Indian blood  
and was acknowledged a member  
of the Muskogee or Creek tribe  
of Indians that her name  
appears on the Rolls of the  
Muskogee or Creek tribe for 1890.

Your petitioner further represents  
that his marriage to Dorey E.  
Burrows is recorded with the  
Clerk of the United States Court  
at Muskogee Ind. Terr. Book D  
Page 35 Marriages <sup>Vol. 11</sup> 1894. and that  
he is the only living legal  
representative of the said Dorey E.  
Adams that his name is in  
the Muskogee or Creek Nations  
together with all property, claims  
and improvements erected during

his married life as an intermarried  
citizen of the said Nation.

Wherefore your petitioner submits  
to this Honorable Body his application  
for citizenship in the Muskogee  
or Creek Nation Ind. Terr. and submits  
the foregoing facts duly verified  
together with affidavit annexed  
and ask that they shall be  
heard and considered and passed  
upon in accordance with all  
laws and general treaties between  
the United States and the  
Muskogee or Creek tribe of  
Indians guaranteeing such cases  
and accorded equal rights  
with other members of said  
tribe

Signed *J. Adams*

First Just Given  
Ind. T.

Subscribed & sworn to before me  
this 1st day of Sept. 1896

*Jas. S. Crotham*  
Notary Public

**End**



1896

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CR 12

To the Hon. the Dawes Commission on  
Citizenship in the Five Civilized Tribes, Ind. Ter.,

Your petitioner, Isabell Jane Ashley, formerly  
Isabell J. Walker, and wife of John R. Ashley, undersigned,  
respectfully states that she is a Creek Indian by blood,  
and asks to be enrolled as a member of the Creek  
Nation of Indians in the Indian Territory. That  
she derives her Indian blood from her Grand  
father, Billy Walker and her father Henry Walker,  
both of whom were recognized Creek Indians  
by blood. Billy Walker and Henry Walker  
were both born in Alabama and came from  
there with the Creek Indians to the Creek Nation  
Ind. Ter., where they died. Both Billy and Henry  
Walker, grand-father, and father of the applicant  
were full blood Creek Indians and so recognized  
by the Creek Nation of Indians. Billy Walker's name  
appears on the Creek Indian Rolls.

Your petitioner states the above facts as the lawful  
grounds of her application for citizenship in the  
Creek Nation, and prays that her claim may be  
investigated by your Honorable Commission and  
that she be adjudged to be a citizen of said Creek Nation  
of Indians, and entitled to the rights and privileges  
pertaining to such citizenship.

My age 46 years. My post office is Wynnewood, Ind. Ter.  
My family consists of the following:

|                             |               |          |
|-----------------------------|---------------|----------|
| Mary Isabell (Ashley) Cable | aged 20 years | daughter |
| John R. Ashley              | " 18 "        | Son      |
| Amianda S. Ashley           | " 17 "        | Daughter |

Hettie E. Ashley aged 13 years Daughter  
 James T. Ashley " 11 " Son  
 Daniel S. Ashley " 9 " Son  
 Adolphus K. Ashley " 7 " Son  
 George L. Ashley " 2 " Son

Witness my hand this 27<sup>th</sup>  
 day of August 1896

Wm. J. Ashley

Indian Territory, S.S.

Southern District } Personally appeared before me  
 the undersigned Authority, Leabell J. Ashley to me  
 known to be the petitioner in the above petition, who  
 being by me first duly sworn, upon oath  
 says that she is the petitioner in the above petition  
 that she has heard read the said petition, and  
 that the facts stated therein are true as she  
 verily believes. And I further certify that  
 a copy of these papers or a duplicate were sent  
 by registered letter to the Governor or Chief of  
 the Creek Nation of Indians on the 27<sup>th</sup> day of  
 August 1896

David Williams  
 Commissioner Expires Notary Public  
 Nov 19 1898

Indian Territory 388.  
 Southern District Fred Umphrie after being  
 first duly sworn deposes and says that he is 49  
 years of age and a resident of Pontotoc County,  
 Chickasaw Nation, Indian Territory, and that  
 I am acquainted with Isabell Jane Ashley  
 wife of John R. Ashley and that she is the daughter  
 of Henry Walker who was a son of Billy Walker,  
 with both of whom I see personally and well  
 acquainted, and know that they are both  
 by blood Creek Indians and so recognized  
 by the Creek tribe of Indians. That said Billy  
 and Henry Walker both died in the Creek  
 Nation, Indian Ter., having moved there  
 from Alabama. That I am a half blood Indian  
 J. L. McQuinn Fred X Umphrie  
 mark

Subscribed and sworn to before  
 me this 27<sup>th</sup> day of August 1896  
 Commissioner James David McQuinn  
 Nov. 9 1896



Indian Territory } SS  
Southern District } Be it known that on this 28<sup>th</sup>  
day of August 1896, personally appeared before me  
a Notary public within and for the Southern  
District of the Indian Territory, Betsey Camp  
who being duly sworn says: That she is about  
53 years <sup>old</sup> a resident of Pontotoc County, Chickasaw  
Nation, Ind Ter, that her post office address is  
Wynnewood, Ind Ter, and that she is acquainted  
with Lookell Jane Ashler and knows her to be  
the daughter of Henry Walker, who was a son  
of Billy Walker, with both of whom I was personally  
and well acquainted and know that they  
were both, by blood, Creek Indians and so  
recognized by the Creek tribe of Indians, that  
said Billy and Henry Walker both died in the  
Creek Nation, Ind Ter, having come there  
from Alabama with the Creek Indians.  
Witness  
Geo A Williams Betsey <sup>her</sup> Camp

Subscribed and sworn to before me  
this 28<sup>th</sup> day of August 1896  
Commissionary for the Southern District } David Williams  
Notary Public  
Nov 19 1896

<sup>12</sup>  
No. 438

Isabel Jane Ashley

Book Station

Filed Aug. 31-26.

H. W. Jernsey  
Secretary

Granted

W. Jernsey, D. J.

Indian Territory  
Southern District

AFFIDAVIT.

BE IT REMEMBERED, that on this 28 day of August 1896

Personally appeared before me, Columbus Nelson, who is a reliable and creditable citizen of the County of Pontotoc State of Indian Territory and after being duly sworn according to law, depose and says: That he is a resident of the County of Pontotoc State of Ind. Ter.; that his age is 55 years his occupation that of a farmer; that Pontotoc is in Hennepin Co., Minn.; that he is personally and well acquainted with Isabelle Ashley who is a daughter of Henry Walker, a Creek Indian by blood and Grand daughter of Billy Walker a Creek Indian by blood. That said Henry & Billy Walker are now both dead at or near

Affiant makes this his sworn statement from his own personal knowledge and acquaintance with the family.

Columbus Nelson

Subscribed and sworn to before me, a Notary Public

this 28 day of August 1896

Commission Expires Nov 19 1898 David Williams

Post Office at  
Registered Letter  
of  
addressed to  
Rec'd  
1896  
Registry Receipt  
C. S. Williams  
Care of  
Hon. J. M. Smith  
U. S. Marshal  
Indian Territory

388.  
I Elmer G. Williams  
attest that on the 28 day of August 1896  
presented at the post office at  
Tulsa, addressed to the Governor  
of the Nation, Okla.  
with 68 cents attached  
in package which contained  
application of Isabelle Ashley  
to Fred Humphreys, Bellevue Camp  
in support of same  
Elmer G. Williams  
and sworn to before me  
day of August 1896.  
David Williams  
Notary Public

Indian Territory }  
Southern District } ss

BE IT REMEMBERED, that on this 28 day of August 1896  
Personally appeared before me, Columbus Nelson, who is a reliable  
and creditable citizen of the County of Pontotoc State of Indian Territory  
and after being duly sworn according to law, depose and says: That he is a resident of the  
County of Pontotoc State of Ind. Terr.; that his age is 55 years his  
occupation that of a farmer; that Postoffice is Wynnewood, I. T.;  
that he is personally and well acquainted with Josephine Ashley  
who is a daughter of Henry Walker, a Creek Indian by blood  
and Grand daughter of Billy Walker & Creek Indian by blood  
Throat said Henry & Billy Walker are now both dead  
at or near  
I want makes this his sworn statement from his own personal knowledge and acquaint-  
ance with the family.

Columbus Nelson  
Subscribed and sworn to before me, a Notary Public  
Commission this 28 day of August 1896  
Expire Nov 19 1898 David Williams

Indian Territory }  
Southern District } ss  
I Elmer G. Williams  
do solemnly swear that on the 28<sup>th</sup> day of August 1896  
I saw a package registered at the post office at  
Wynnewood, Ind. Terr., addressed to the Governor  
or Chief of the Creek Nation, Okmulgee,  
that registry receipts no 68 hereto attached  
is a receipt for said package which contained  
True Copies of the application of Josephine Ashley  
and of the affidavits of Fred Humphreys, Selvey Camp  
and Columbus Nelson in support of same  
Elmer G. Williams  
Subscribed and sworn to before me  
on this 28<sup>th</sup> day of August 1896.  
David Williams  
Notary Public

POOR ORIGINAL -  
BEST AVAILABLE COPY



the following to the people of the nation

regarding the present situation of our people and the

advice that we should take in the future

and the people of the nation should be

very much interested in the present situation of our

people and the future of our nation

and the people of the nation should be

very much interested in the present situation of our

people and the future of our nation

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people and the future of our nation

and the people of the nation should be

very much interested in the present situation of our

Before the Dawes Commission, Vinita, Indian Territory.

Isabel Jane Ashley, and her :  
children, Mary Isabel Ashley, :  
John R. Ashley, James T. Ashley :-----Plaintiffs.  
Daniel S. Ashley, Adolphus K. :  
Ashley and George L. Ashley. :

VS. ( Answer. :

The Creek Nation,-----Defendant.

Comes the defendant and says: That it appears by the statements in the petition of the applicants that they are residing at or near Wynnewood Chickasaw Nation, and neither the petition nor the affidavits in support thereof show the degree of Creek Indian blood flows in their veins.

That Fred Umphries, Petsey Camp and Columbus Nelson are all citizens of Pontotoc County, Chickasaw Nation and are not Creek Indians and their affidavits are in precisely the same language and have the appearance of having been "put up" and they do not show their means of knowing the facts stated.

Wherefore the defendant says, that said application and affidavits in support thereof do not show facts which entitle the applicants to citizenship in this Nation.

S. F. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

Witness my hand and seal this 2nd day of July 1896.

Sworn to and subscribed before me this 2nd day of July 1896.

**End**

1896  
CR 13

2

1896  
CR 13



[illegible]

1950

1. The first step is to identify the problem or question that needs to be addressed. This involves understanding the context and the specific requirements of the task.

1. The first part of the paper discusses the importance of the role of the state in the development of the economy. It argues that the state should play a leading role in the development of the economy, particularly in the areas of infrastructure, education, and health care. The paper also discusses the importance of the role of the private sector in the development of the economy, and the need for a balance between the two.

1. The first part of the document is a list of names and their corresponding addresses. The names are listed in the left column, and the addresses are listed in the right column. The names are: John Doe, Jane Smith, and Bob Johnson. The addresses are: 123 Main St, 456 Elm St, and 789 Oak St.

1. The first part of the paper is devoted to the study of the properties of the function  $f(x)$  defined by the equation

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

*The Journal of Law, Economics, & Organization*, V16 N1

Ergebnis: Die Ergebnisse der Analyse zeigen, dass die meisten Teilnehmer die Möglichkeit haben, sich an der Gestaltung ihrer Arbeitsumgebung zu beteiligen. Dies ist ein wichtiger Faktor für die Arbeitszufriedenheit und die Produktivität.

1. The first part of the paper is devoted to the study of the properties of the function  $f(x)$  defined by the equation

1. The first part of the paper is devoted to the study of the asymptotic behavior of the solutions of the system (1) as  $t \rightarrow \infty$ . It is shown that the solutions of the system (1) tend to zero as  $t \rightarrow \infty$  if and only if the matrix  $A$  is Hurwitz. This result is proved by the method of the variation of constants.

1931

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

1. The first step is to identify the problem or goal.

—

—

before the Dawes Commission, Vinita, Indian Territory.

S. V. Douplass,-----Plaintiff,

VS. ( Answer.

The Creek Nation,-----Defendant.

The defendant says that the plaintiff's petition does not show that he is a resident of this Nation; and the witnesses whose affidavits are relied upon to support his claim are not qualified, disinterested native witnesses as required by the laws of this Nation being related to the petitioner by blood and interested in his success.

The defendant further says that the plaintiff is now applying to this Commission to declare him a citizen of this Nation of which he claims to be a native, and has never been enrolled or recognized as a citizen.

Wherefore the defendant denies that the applicant is Creek Indian and says he is not entitled to citizenship.

S. R. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

says that he believes the matters and things set forth in the foregoing answer to be true.

Bunny McIntosh

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 1896.

Notary Public

My Comm. Expires \_\_\_\_\_

No.  
Affidavit  
of

Amos W. Dyer

That I, the within named Amos W. Dyer, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the records of the County of Madison, State of Wisconsin, and that the same is a true and correct copy of the original as the same appears in the records of the County of Madison, State of Wisconsin.

Edw. Bond Atty.

... with stories of action  
officers of the  
McClint.

St. Daughon & Officers

And notice of Sally  
McClint

And now comes Sally  
McClint who being by me  
and soon deposes and  
says that her name is  
Sally McClint and that  
her maiden name was  
Miss Sally Grayson and  
she is a "M" this goes on  
and on, but married  
an McClint of full blood  
and her name is Sally  
McClint. And further  
will state that she is  
a new relation of ap-  
plicant St. Daughon. This  
St. Daughon mother being  
a Grayson and also a  
branch of my mother's  
Grayson, nephew of ap-  
plicant St. Daughon.  
Mother St. Daughon is  
about relation of mine.  
I have known officers  
for some time some  
work from and have  
always claimed relation.



The above and foregoing  
~~statements~~ are true and  
correct to the best of my  
knowledge and belief

The Hair Salt <sup>has</sup> excellent  
 effects and Subscribes refer me  
 a noisy Public in one for Good & 17  
 Central Judicial Union 17  
 Vol. 15.

August 11, 1881

Gen Bond ally.

W. L. Brewster  
In Chief  
Surveyor, Gen

United States of America  
St. Douglass vs. the  
Embassy  
We the undersigned,  
do solemnly swear  
that, St. Douglass is a  
nephew of Thomas Grayson  
of the civil nation, St.  
Dair St. Douglass being  
related by blood to  
his mother side. His  
mother being a sister of  
Thomas Grayson.

Wm. L. Black.

R. J. St. Blair  
Joseph M. Grayson  
John G. Gully

Subscribed and sworn  
to before me this day  
of Aug. 1876.

John L. Black  
Secretary

Appointed-  
at  
Eck & Brock  
In  
S. V. Doughton  
and  
\_\_\_\_\_

Eck & Brock  
attys



S. S. Snyper 3 Affidavit  
Crest Nation 3 of Bonds

This is to certify  
that, I, E. E. Brown,  
att'y. for S. S. Snyper  
has this day furnished  
the Chief of the U.S.  
Cape Nation with a  
true copy of English  
language for alibi-  
ship, and all evidence  
introduced in sup-  
port of said petition.

For Bond  
Known to, and sub-  
scribed before me,  
this 1 day of Sept  
1876

J. H. Anderson

J. H. Anderson

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Enk Brook-Atty.

United States of America  
In cor. Judicial Dist.  
J. V. Daughan &  
- 73 -

Correction { Allegation

Now comes J. J.  
Grayson, who being by  
an duly sworn, states  
that he is by blood  
and name brother of J. V. Daughan,  
and that the above  
named applicant, J. V.  
Daughan, is a son of  
my sister, and is  
by blood a nephew  
of mine, making him  
and eight other Indian  
by blood -

J. J. Grayson

Sworn to, and subscrib-  
ed before me, this the  
day of Sept 1891

A. J. Johnson  
Notary Public

No-517

~~~~~  
J. T. Douglas

- 73 -

Ordnance  
Complains

~~~~~  
Filed Sept. 2, 1896  
A S McKinnon  
Clerk

Repeted

Earl B.



United States of America  
To the Hon James Cass  
now sitting at Vinita, St.  
Dr. Douglass Citizenship  
- vs -  
The End Government

And now comes  
four petitions, above men-  
tioned in this complaint, and  
for a course of action will  
state that he was an In-  
dian by blood, being "1/4"  
and eight "Constitutional"

Said Indian nation, com-  
ing from my mother  
who was a Miss. Taylor,  
and she being the wife  
of Thomas Taylor, both  
having "1/4" and "1/8"  
Caucasian blood in their veins  
And applicant is also  
related by blood to Mr.  
Daddy McElish, who is  
a "1/4" and "1/8" Caucasian  
and Mr. McElish  
enjoys all the rights  
of an Indian citizen  
drawing in all the  
farms, and participa-  
ting in all the affairs  
relating to the ends of

the Indian Territory.

And applicant would  
further show that the  
he has now forfeited his  
rights of citizenship and  
his claim to be a citizen  
and presents to the  
Commissioner for approval  
wherefor premises con-  
sidered. Applicant prays  
that his name be taken  
with that of his chil-  
dren, named, Fred, Josie,  
Oscar and Robert be add-  
ed to the enrollment of  
Indian Citizenship and  
they be entitled to all  
the rights of citizens.  
In witness whereof we  
have signed our names  
this 11th day of

and now comes Fred, Josie,  
Oscar and Robert Douglas  
by their father F. D. Douglas  
as next friend, and state  
that the above allegations are  
true and correct.

|                   |         |
|-------------------|---------|
| Frederick Douglas | 4 years |
| Josie Douglas     | 6       |
| Oscar Douglas     | 4       |
| Robert Douglas    | 1       |
| F. D. Douglas     |         |

Said letters are shown to before  
me this 15 day of August 1896

John S. Belmont  
Notary Public

Executive Officer } Conference St.  
Muscogee Nation } Sept 10 1896

This is to certify  
that I Riley McIntosh 2nd & acty  
Principal Chief M.N. have this  
day received copy of complaint  
and all evidence introduced  
in support of said complaint  
in case of J. F. Douglas  
vs Creek Nation.

Riley McIntosh  
2nd & acty  
Principal Chief M.N.

**End**



1896  
CR 14

1896  
CR 14

786

FILED SEPT. 9 1896. ★  
A. S. McKENNON  
COM'R

Chicotak I.D. Sept 7<sup>th</sup> 1896  
Received this day of Granville Douglass  
per Nelson & Leitch his attorneys, copy  
of applications and evidence in  
Case # 736 of Granville Douglass et al  
for citizenship in the Creek Nation.  
Roly McIntosh  
Actg Prin Chif Muscogee Nation  
By J. M. Callahan  
Print Secy

Before the Honorable James Commission

Comes now Granville Douglass, for himself  
and as natural guardian and next friend of his  
minor children Jimmie and Rachel J. Doug-  
lass, and as next friend of his <sup>who are minors</sup> brothers and sisters  
as follows: Julia Jackson, Elay Douglass, <sup>the</sup> whole blood, and Matilda, and Fura Moore of the half  
blood being children of my mother by Jack Moore  
her last husband, and as next friend of the chil-  
dren of his sister Julia Jackson aforesaid, as follows  
Mary, William, Rennie and Edna Jackson, and  
declares their rights to citizenship in the  
Creek Nation by virtue of the following facts  
to-wit: That all of the above mentioned parties  
are of African descent, and are now living  
and residing in the Creek Nation, and are de-  
scendants of Sarah Moore, <sup>who is about 55 years of age and</sup> who is of African  
descent, and who has lived and resided in  
the Creek Nation all her life.

That all the above mentioned parties have  
resided in the Creek Nation all their lives,  
and are now living about 12 miles from Okmulgee  
P.T.

That they have always been permitted to reside  
in the Creek Nation, and have never been called  
upon to pay permits, and have been permitted  
to improve and occupy homes in said Nation  
without dissent or objection.

That the said Granville Douglas, Julia Jackson, Elay Douglas, Matilda Moore and Lura Moore are all children of Sarah Moore aforesaid, That said Jimmie and Rachel Douglas, are children of said Granville Douglas, and said Mary, William, Rennie and Edna Jackson are children of said Julia Jackson, the said William & Rennie Jackson being twin children.

That while their right to reside in said Nation has never been denied or objected to yet they have never been placed in the rolls of said Nation neither have they been permitted to participate in the annuities and funds distributed among the members of said Nation.

Wherefore they pray that they may be admitted and enrolled as citizens of said Creek Nation in accordance with the laws in such cases made and provided.

Nelson Lieber for Applicants.

Granville Douglas says that the statements of the foregoing application are true.

Witness to mark.

Carroll Whitson Granville Douglas <sup>his</sup> mark

Subscribed and sworn to before me this 20<sup>th</sup> day of August 1896

John E. Lieber  
Notary Public.



Indian Territory Northern District S.S.

In the matter of the application of Granville  
Douglass and descendants for citizenship  
in the Creek Nation.

On this 20<sup>th</sup> day of August 1896 personally ap-  
peared before me a Notary Public within  
and for the above named District Jerry

Martin aged 56 years, whose P. O. address  
is Muskogee Ind. Ter. who after being duly sworn  
declares in relation to aforesaid case as follows:-

That he has known Sarah Moore since  
several years before the year 1865, and knows  
her to be of African descent, and so recognized  
in the community in which she lives, That  
she has resided in the Creek Nation continuously  
since affiant first knew her. That affiant  
has known Granville Douglass since his birth  
and knows him to be a son of said Sarah  
Moore, and that said Granville Douglass  
has resided in the Creek Nation since his  
birth, and has owned a home in the Creek  
Nation for the past 8 years, and that he is married.  
and has two children now living with him  
in the Creek Nation.

Jerry Martin

Subscribed and sworn to before me this 20<sup>th</sup>  
day of August 1896

John E. Fisher  
Notary Public.

Indian Territory Northern District S.S.

In the matter of the application of Granville  
Douglas and descendants for citizenship  
in the Creek Nation.

about On this 20<sup>th</sup> day of August 1896 personally appeared  
before me a Notary Public within and for the  
above named District, Samuel Barnett <sup>alias, Samuel Richmond</sup> aged  
70 years, whose P.O. address is Muscogee Ind. Ter.,  
who after being duly sworn declares in relation to  
aforesaid case as follows:-

That he is well acquainted with Sarah Moore  
mother of Granville Douglas, and has known  
her since several years before the late war  
of the Rebellion, That said Sarah Moore has  
resided continuously in the Creek Nation  
since the year 1865, That said Sarah Moore  
is of African descent, and so regarded in the  
community in which she lives, and that she  
is the mother of Granville Douglas, who  
has resided in the Creek Nation since his  
birth.

Witness to  
Mark

Subscribed and sworn to before me this 20<sup>th</sup> day of  
August 1896 . . . <sup>his</sup> ~~Samuel~~ X Barnett  
mark

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

John E. Lieber  
Notary Public.

# 70734  
Case of 14  
Granville Douglass  
for citizenship in the  
Creek Nation

Filed Sept 3-1894  
AS McKinnon  
Clerk

Adm.

Filed by  
Nelson Fieber  
Atty at Law.  
Muscoget.  
Ind. Ter.

the action to be satisfied as citizens.

those for whom he acts have been admitted to the franchises of  
is no reason assumed in any complaint which the legislative and  
to citizenship under the said Statute of the Territory - and there  
in the said complaint do not show that the legislative are entitled  
to the said franchise under the said Statute.

AD

*Grandfather Douglas  
and his  
The said Douglas*

FILED OCT 23 1896  
A. S. McKENNEY  
COM.

under the said Statute of the Territory - and there  
is no reason assumed in any complaint which the legislative and  
to citizenship under the said Statute of the Territory - and there  
in the said complaint do not show that the legislative are entitled  
to the said franchise under the said Statute.

under the said Statute of the Territory - and there  
is no reason assumed in any complaint which the legislative and  
to citizenship under the said Statute of the Territory - and there  
in the said complaint do not show that the legislative are entitled  
to the said franchise under the said Statute.

Before the Deeds Commission, Attorney, Indian Territory.



Before the Dawes Commission, Vinita, Indian Territory.

Granville Douglas, for :  
himself, his children, his :-----Plaintiffs  
sister and brother, and :  
nephews and nieces. :  
vs. ( Answer, :  
The Creek Nation,-----Defendant.

/ The defendant for answer to the plaintiffs complaint,  
denies that the petitioners are entitled to citizenship in this  
Nation. 2. *The defendant says that his*  
*country is not his home where*  
2. Defendant denies that the said Sarah Moore, from whom they all  
claim their right, ever lawfully resided in the Creek Country  
under the laws and usages thereof prior to the making of the  
Treaty of 1866. *as she was here and admitted by her*  
3. Defendant further answering says, that the facts set forth  
in the said Complaint do not show that the plaintiffs are entitled  
to citizenship under the said 2nd. Art. of the Treaty - and there  
is no reason assigned in said complaint which the plaintiff and  
those for whom he acts have never applied to the authorities of  
this Nation to be enrolled as citizens.

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bunny McIntosh* says that he believes the matters and things  
set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this *22<sup>nd</sup>* day of *October* 1896.  
*while my hand shined and not having an official*  
*and the Rogers (deputy)*  
*Notary Public,*  
*Cum exp 22<sup>nd</sup> 1900*



**End**

No. 3822  
In the Application  
of J. S. Dubois for citi-  
zenship in the Creek Nation

FILED SEPT. 3 1893

A. S. MCKENNOT

COM'R

Respectfully

W. J. L. L. L. L.  
for Claimant.

Personally appeared before me the undersigned, a Notary Public in and for the Northern District of the Indian Territory, W. F. Seaver, who being by duly sworn upon his oath says that he did on this day deposit in the United States Post Office at Muskogee I. T. a sealed envelope containing true and correct copies of the Petition and Evidence in the case of J. S. Dubois for citizenship in the Creek Nation of Indians, addressed to Esparhecher, Chief of the Creek Nation of Indians, at Okmulgee Ind. Ter. with lawful postage paid thereon, and that Okmulgee Ind. Ter. is where the said Chief gets his mail.

Sworn to, and subscribed before me this September 8, 1896.

Sworn

Notary Public aforesaid.

Hanslan Dubois  
Leonard V. Dubois

|     |    |        |
|-----|----|--------|
| age | 21 | years, |
| and | 1  | years, |
| age |    | years, |
| and |    | years, |
| and |    | years. |

WITNESS my hand this 8<sup>th</sup> day of Sept

Indian Territory  
Creek Nation

Personally appeared before me, the undersigned authority, J. S. Dubois to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Subscribed and sworn to before me at this 8<sup>th</sup> day of Sept

A.D. 1896

W. F. Seaver  
Notary Public

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes  
in the Indian Territory:

Your petitioner, *J. S. Dubois*, undersigned, respectfully states that he is a *Creek* Indian by blood, and asks to be enrolled as a member of the *Creek* Nation of Indians in the Indian Territory. That he derives his said Indian blood from *Prudy Dubois*, his Grandmother who was a *Creek* Indian by blood. The said *Prudy Dubois* was the mother of *Barney Dubois* and *Samuel Dubois* the father of this claimant. *Barney Dubois* is in the *Creek* rolls as a citizen member of *Shochocho Town Creek Nation Indian Territory*.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the *Creek* Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said *Creek* Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is *46* years. My Post Office address is *Muskogee S. T.*  
My family consists of the following-named persons: My *Self* and children, as follows:

|                          |      |           |        |
|--------------------------|------|-----------|--------|
| <i>Simon Dubois</i>      | aged |           | years. |
| <i>Ellen Lee Dubois</i>  | aged | <i>14</i> | years. |
| <i>Francis S. Dubois</i> | aged | <i>13</i> | years. |
| <i>Reuben S. Dubois</i>  | aged | <i>11</i> | years. |
| <i>Charles S. Dubois</i> | aged | <i>7</i>  | years. |
| <i>Marshall Dubois</i>   | aged | <i>7</i>  | years. |
| <i>Leonard S. Dubois</i> | aged | <i>1</i>  | years. |
|                          | aged |           | years. |
|                          | aged |           | years. |
|                          | aged |           | years. |

WITNESS my hand this *31* day of *Aug* 1896.

*Indian Territory*  
*Creek Nation* } ss.

Personally appeared before me, the undersigned authority, *J. S. Dubois*, to me known to be the petitioner in the above petition, who being by me first duly sworn upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Subscribed and sworn to before me at *Muskogee S. T.*  
this *31* day of *Aug* A.D. 1896.

*J. S. Dubois*  
*N. C. Gibson*  
*Notary Public*

IN THE MATTER OF THE APPLICATION OF J. S. DUBOIS FOR CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the undersigned authority William Robison, who being by me first duly sworn upon his oath says as follows:-

I am 63 years of age.

My Post Office is Wagoner Indian Territory. I am Creek Indian by blood and recognized as a full citizen of the Creek Nation in the Indian Territory. I have held a number of official positions in my Nation, having been a member of the Houses of Kings and Warriors several times. I am well and personally acquainted with the claimant J. S. Dubois. He is a second cousin of mine, and a Creek Indian by blood. His father was Samuel Dubois, a full brother of Barney Dubois, who is a full cousin of mine, and was admitted to citizenship in the Creek Nation in October 1890, and who testifies in this case. His grand mother was Milly Dubois who was a Creek Indian woman. All of the above named persons were born on the old Creek Reservation in the State of Alabama, and are Creek Indians by blood, and belong to Phlootahced Town, Creek Nation, Indian Territory, and the claimant and his children are entitled to be enrolled therein as full citizens of the Creek Nation. The claimant resides in the town of Muscogee Indian Territory. I have no interest in the prosecution of this case other than I would have in any of my relatives, and that justice may be done.

Sworn to and subscribed before me this August ----- 1896.

Notary Public.



IN THE MATTER OF THE APPLICATION OF J. S. DUBOIS FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the  
undersigned authority Barney Dubois, who being by me first duly  
sworn upon his oath says as follows:-

I am 53 years of age. My

Post Office Address is Muscogee Indian Territory. I am  
acquainted with the claimant and have known him all his life.

He is a son of my full brother Samuel Dubois, deceased, and a  
grand son of my mother Milly Dubois, and a Creek Indian by blood.

All of who were born on the old Creek Reservation in the  
State of Alabama. The claimant is the father of the follow-  
ing named children:- Simon Dubois, age 16, Ellen Lee Dubois, age  
13, Fannie L. Dubois, age 11, Rachel V. Dubois, age 9, Houston  
Dubois, age 4, and Leonard A. Dubois age One year, all of whom  
are great grand children of my mother Milly Dubois, and are  
Creek Indians by blood, and belong to Thleth thleoce Town, in the  
Creek Nation Indian Territory, and are entitled to be enrolled  
therein as Creek Indians by blood.

The claimant is now living in the town of Muscogee, Creek  
Nation, Indian Territory. I state the above facts from my own  
personal knowledge from having known the claimant all his life,  
and from the fact that I am his uncle, and have lived near him  
most all of his life. I have no interest in the prosecution of this  
claim other than I would have for any of my kins people. I was  
admitted a member of the Creek Tribe in the Indian Territory in  
1890 in October, but the claimant and myself and mother were  
born Creek Indians

Sworn to and subscribed before me this August 28, 1896.

Barney Dubois  
Notary Public.



Before the Dawes Commission, Vinita, Indian Territory.

J.S. Duhois,-----Plaintiff.

VS. ( Answer.

The Creek Nation,-----Defendant.

/ The defendant for answer says: That it appears from the plaintiffs application that they were all born in the State of Alabama, and it does not appear when they came to this Nation. The claimant does not state ~~where~~ allege and prove that he is of Muskogee descent not further removed than the fourth degree.

The defendant says the said petitioners ancestors severed their connection with this people when they sold their land east of the Mississippi and moved to their present home and became citizens of the State where they resided and this defendant says they are not Creek Indians and are aliens and are not entitled to citizenship in this Nation or to any of the privileges thereof.

S.B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

\_\_\_\_\_ says that he believes the matters and things set forth in the foregoing answer to be true.

Bunny McIntosh

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 1896.

\_\_\_\_\_  
Notary Public

My Comm. Ex. 501

CV 1636

15

**IN RE**  
Application for Enrollment of  
INFANT CHILD.

As a citizen of the

Nation.

Approved . 1899.

Commissioner.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Creek Nation,  
of William Robison Dubois, born on the 19th day of March 1898,  
Name of father: Jacob Dubois, a citizen of the Creek Nation.  
Name of mother: Morning Levinia Dubois, a citizen of the U.S. Nation.  
Post Office: Wagoner I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Northern District.

I, Morning Levinia Dubois, on oath, state that I am 36 years of age and a citizen, by United States, of the Nation; that I am the lawful wife of Jacob Dubois, who is a citizen, by blood of the Creek Nation; that a child was born to me on the 19th day of March 1898, that said child has been named William Robison Dubois and is now living.

Subscribed and sworn to before me this 19th day of March, 1899.

Charles W. Hatfield  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Northern District.

I, J.P. Nelson, a neighbor of Jacob Dubois, on oath, state that I attended on Mrs. Morning Levinia Dubois, wife of Jacob Dubois, on the 19th day of March 1898, that there was born to her on said date a male child; that said child is now living and is said to have been named William Robison Dubois.

Subscribed and sworn to before me this 19th day of March, 1899.

Charles W. Hatfield  
Notary Public.

My Commission expires May 24th 1899.



**End**



1896  
CR 15

1896  
CR 15

No. 3822  
In re Application  
of J. S. Dubois for citi-  
zenship in the Creek Nation

FILED SEP 1  
A. S. M. KENT  
COM R

Received

W. T. Lawrence  
for Plaintiff

Personally appeared before me the undersigned, a Notary Public in and for the Northern District of the Indian Territory, W. F. Seaver, who being by duly sworn upon his oath says that he did on this day deposit in the United States Post Office at Muskogee I. T. a sealed envelope containing true and correct copies of the Petition and Evidence in the case of J. S. Dubois for citizenship in the Creek Nation of Indians, addressed to Esparhecher, Chief of the Creek Nation of Indians, at Okmulgee Ind. Ter. with lawful postage paid thereon, and that Okmulgee Ind. Ter is where the said Chief gets his mail.

Sworn to, and subscribed before me this September 8, 1896.

Sworn

Notary Public aforesaid.

Klauslan Dubois  
Leonard V. Dubois

aged 4 years,  
aged 7 years,  
aged years,  
aged years,  
aged years.

WITNESS my hand this 8/ day of Sept 1896.

Indian Territory  
Buck Hatfield } ss.

Personally appeared before me, the undersigned authority, J. S. Dubois to me known to be the petitioner in the above petition, who being by me first duly sworn upon his oath says that he is the petitioner in the above petition, that he has read or heard read the said petition, and that the facts stated therein are true, as he verily believes.

Subscribed and sworn to before me at Muskogee this 8/ day of Sept

A D 1896

J. A. Seaver  
Notary Public

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes  
in the Indian Territory:

Your petitioner, *J. S. Dubois*, undersigned, respectfully states that he is a *Creek* Indian by blood, and asks to be enrolled as a member of the *Creek* Nation of Indians in the Indian Territory. That he derives his said Indian blood from *Prilly Dubois* his Grandmother who was a *Creek* Indian by blood. The said *Prilly Dubois* was the mother of *Barney Dubois* and *Samuel Dubois* the father of this claimant. *Barney Dubois* is an *Okla* native and citizen member of *Chickasaw* *Town Creek* *Nation* *Indian* *Territory*.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the *Creek* Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said *Creek* Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is *46* years. My Post Office address is *Waskom* *Texas*.  
My family consists of the following-named persons: My *self* and children, as follows:

|                          |      |                  |
|--------------------------|------|------------------|
| <i>Simon Dubois</i>      | aged | years,           |
| <i>Ellen Lee Dubois</i>  | aged | <i>19</i> years, |
| <i>Ignace A. Dubois</i>  | aged | <i>13</i> years, |
| <i>Harriet V. Dubois</i> | aged | <i>11</i> years, |
| <i>Clouston Dubois</i>   | aged | <i>7</i> years,  |
| <i>Leonard V. Dubois</i> | aged | <i>7</i> years,  |
|                          | aged | <i>1</i> years,  |
|                          | aged | years,           |
|                          | aged | years,           |
|                          | aged | years.           |

WITNESS my hand this *31* day of *July* 1896.  
*J. S. Dubois*  
*By* *Waskom* *Texas*

*Indian Territory*  
*Creek Nation* } ss.

Personally appeared before me, the undersigned authority, *J. S. Dubois* to me known to be the petitioner in the above petition, who being by me first duly sworn upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Subscribed and sworn to before me at *Waskom* *Texas*  
this *31* day of *July* A.D. 1896  
*A. C. Gibson*  
*Notary Public*



IN THE MATTER OF THE APPLICATION OF J. S. DUBOIS FOR CITIZEN-  
SHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me  
the undersigned authority William Robison, who being by me first  
duly sworn upon his oath says as follows:-

I am 63 years of age.  
My Post Office is Wagoner Indian Territory. I am Creek Indian  
by blood and recognized as a full citizen of the Creek Nation in  
the Indian Territory. I have held a number of official posi-  
tions in my Nation, having been a member of the Houses of Kings  
and Warriors several times. I am well and personally acquainted  
with the claimant J. S. Dubois. He is a second cousin of mine,  
and a Creek Indian by blood. His father was Samuel Dubois, a  
full brother of Barney Dubois, who is a full cousin of mine, and  
was admitted to citizenship in the Creek Nation in October 1890,  
and who testifies in this case. His grand mother was Milly Dubois  
who was a Creek Indian woman. All of the above named persons  
were born on the old Creek Reservation in the State of Alabama,  
and are Creek Indians by blood, and belong to Echobthlecco Town,  
Creek Nation, Indian Territory, and the claimant and his children  
are entitled to be enrolled therein as full citizens of the Creek  
Nation. The claimant resides in the town of Muscogee Indian  
Territory. . . I have no interest in the prosecution of this  
case other than I would have in any of my relatives, and that  
justice may be done.

Sworn to and subscribed before me this August ----- 1896.

Wm. Robison  
Notary Public.

IN THE MATTER OF THE APPLICATION OF J. S. DUBOIS FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the  
undersigned authority Barney Dubois, who being by me first duly  
sworn upon his oath says as follows:-

I am 53 years of age. My

Post Office Address is Muscogee Indian Territory. I am  
acquainted with the claimant and have known him all his life.

He is a son of my full brother Samuel Dubois, deceased, and a  
grand son of my mother Milly Dubois, and a Creek Indian by blood.

All of who were born on the old Creek Reservation in the  
State of Alabama. The claimant is the father of the follow-  
ing named children:- Simon Dubois, age 16, Ellen Lee Dubois, age  
13, Fannie L. Dubois, age 11, Rachel V. Dubois, age 9, Houston  
Dubois, age 4, and Leonard A. Dubois age One year, all of whom  
are great grand children of my mother Milly Dubois, and are  
Creek Indians by blood, and belong to Thleth thlethce Town, in the  
Creek Nation Indian Territory, and are entitled to be enrolled  
therein as Creek Indians by blood.

The claimant is now living in the town of Muscogee, Creek  
Nation, Indian Territory. I state the above facts from my own  
personal knowledge from having known the claimant all his life,  
and from the fact that I am his uncle, and have lived near him  
most all of his life. I have no interest in the prosecution of this  
claim other than I would have for any of my kins people. I was  
admitted a member of the Creek Tribe in the Indian Territory in  
1890 in October, but the claimant and myself and mother were  
born Creek Indians

Sworn to and subscribed before me this August 27, 1896.

Barney Dubois  
W. A. Gibson  
Notary Public.



Before the Dawes Commission, Vinita, Indian Territory.

J. S. Dubois,-----Plaintiff.

VS. ( Answer.

The Creek Nation,-----Defendant.

The defendant for answer says: That it appears from the plaintiffs application that they were all born in the State of Alabama, and it does not appear when they came to this Nation. The claimant does not state ~~where~~ where and prove that he is of Muskogee descent not further removed than the fourth degree.

The defendant says the said petitioners ancestors severed their connection with this people when they sold their land east of the Mississippi and moved to their present home and became citizens of the State where they resided and this defendant says they are not Creek Indians and are aliens and are not entitled to citizenship in this Nation or to any of the privileges thereof.

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*James H. McIntosh*  
says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 1896.

*James H. McIntosh*  
7-12

*My Comm. expires Oct 1st 1896*



Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Creek Nation,  
of William Robison Dubois, born on the 19th day of March 1898  
Name of father: Jacob Dubois, a citizen of the Creek Nation.  
Name of mother: Morning Levinia Dubois, a citizen of the U.S. Nation.  
Post Office: Wagoner T.P.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Northern District.

I, Morning Levinia Dubois, on oath, state that I am 36 years of age and a citizen, by United States, of the Creek Nation; that I am the lawful wife of Jacob Dubois, who is a citizen, by blood, of the Creek Nation; that a child was born to me on the 19th day of March 1898, that said child has been named William Robison Dubois and is now living.

Morning Levinia Dubois

Subscribed and sworn to before me this 19th day of March, 1899.

Charles H. Hatfield  
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
Northern District.

I, J.P. Nelson, neighbor of Jacob Dubois, on oath, state that I attended on Mrs. Morning Levinia Dubois, wife of Jacob Dubois, on the 19th day of March 1898, that there was born to her on said date a male child; that said child is now living and is said to have been named William Robison Dubois.

Charles H. Hatfield

Subscribed and sworn to before me this 19th day of March, 1899.

Charles H. Hatfield  
Notary Public.

My Commission expires May 20th 1899.



**End**

1896

CR 16

1896

CR 16

No. 16

RECEIPT  
FOR ORIGINAL PAPERS IN THE CASE OF

*Alfred A. Tamm*

VS.

*Ore K* Nation.

Received and filed this day of

189

Secretary.

RECEIVED FOR THE COURT

**vs. .... Nation, as follows:**

No 16

A. J. Durant & Co.

v.s.

Clark's Nation

Order of Appeal



## NOTICE.

<sup>239</sup>  
United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.  
In the matter of the application of  
**A. J. Durant et al** to be  
enrolled as citizens of the **Muskogee** Nation.  
~~Cherokee~~

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**A. J. Durant et al**

**Muskogee**

to be enrolled as citizens of the ..... Nation, from said  
**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **20th** day of  
**Jan. 1897.** A.D. 189.....

*James C. Springer*  
Clerk.

**End**

1897  
CR17

1896  
CR17

*High Colbents  
Affidavit*

Chickasaw Nation and Ter

Third Judicial Division

This day personally appeared before  
the undersigned authority, Lige  
Colbert, who after being sworn  
depose and say, I am a Chickasaw  
free man, have lived with the  
Indians all of my life. I knew  
John H Costolow in Miss. he was  
a Creek Indian by blood. I  
know Euell Costolow, the son  
of John H Costolow who I  
knew in Miss.

Subscribed and sworn to before  
me this the 14<sup>th</sup> day of Sep, 1894

Lige + Colbert  
Notary Public

My Commission expires Nov 14-95



Emell Costalou  
Statement

Chickasaw Nation Ind Ter  
Third Judicial Division  
To the Hon. Dawes Commission  
Your petitioner Emell Castlow  
says on oath that he is (36)  
thirty six years of age. I was  
born and raised in Miss.  
and came to the Indian Ter,  
in 1893, and have lived here  
continuously since. My father's  
name was John Castlow,  
a Creek Indian by blood.  
My father was born and  
raised in the State of  
Miss. and lived there until  
he died, in or about the year  
1864 or 65. I do not remember  
my father, and know nothing  
concerning him, except what  
I have been told. I have been  
told that he was a half  
blood Creek Indian. I  
submit for your consideration  
the affidavits filed with  
this statement, and ask to be  
enrolled, as a Citizen of the  
Creek Tribe of Indians

Attest R. F. French

Emell <sup>his</sup> Castlow  
<sub>man</sub>

Subscribed and sworn to  
before me this 26<sup>th</sup> day  
of Sept. 1894

R. F. French  
Notary Public

My Commission expires Nov 16-98

Emell Costello  
Stateman

John Costello was father to Ewell, J. L. W.P.  
and Sam Costello. Also father of Betty, Jane & Lucy  
Castello. To whom it may concern that I

S. E. Haines did know John M. Costello  
and am satisfied that he is a half Indian  
I never inform that he were a half creek  
Indian for Mrs Nancy Spencer and am  
Satisfied ~~was~~

S. E. Haines

State of Miss

Winston County

Personally appeared before the undersigned a  
Justice of the Peace S. E. Haines makes oath that  
the above statement is correct to the best  
of his knowledge, Sworn to & subscribed  
this September 6<sup>th</sup> 1893

W. H. Bailey J. P.

Sept 6 1893 This is to certify that I knowed  
John M. Costello and believed him to be a  
half creek Indian and have heard others  
say that he were. W. D. Grosberg  
Sworn to & subscribed the 6 day of Sept 1893

W. H. Bailey J. P.



VISIONS OF THE FUTURE

КНИЖНИЧЕСТВО

[illegible]

UNIVERSITY OF MICHIGAN

STRENGTH AND STIFFNESS OF THE JOINTS

[illegible]

1. 8. 10. 11.

1  
NOTION SUR MON OUVRIER

1. The first step is to identify the problem. This involves understanding the situation and the goals that need to be achieved.

Служба безопасности Государственной Думы  
Москва, 2019 г.

SECRET  
DO NOT KNOW NOTHING OF HIS SEPAR.  
DO NOT KNOW ANYTHING; NOT EVEN HIS NAME

“We do not intend to let the Government ‘buy’ our freedom,” says a spokesman.

3. The ~~best~~ <sup>possibility</sup> for getting the most out of my money is to

[illegible]

..... "NOTES" ..... 670-98

А.С. (Умнов)

East Corporation ..... b7D b7C b7E

БЕГОРОСНО ЛЕВАНЕ КОМУНИКАЦИОНАЛНА АГЕНЦИЈА

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*[Handwritten signature]*

FILED OCT 23 1896

TO THE HONORABLE  
S. MCKENNON  
COM' R.

[illegible]

UNIVERSITY OF  
CALIFORNIA  
LIBRARY  
LOS ANGELES  
CALIFORNIA

1948  
 1949  
 1950





Before the Daves Commission, Vinita, Indian Territory.

Ewell Costolow,-----Plaintiff.

vs. ( Answer.

The Creek Nation,-----Defendant.

/ The defendant says that it appears by the statements in the petitioners application that he was born and raised in the State of Mississippi, now lives in the Chickasaw Nation and never did reside in this Nation; that he knows nothing of his father, through whom he claims Creek blood except what he has been told; that all of the witnesses upon whose affidavits he relies are residents of the Chickasaw Nation and none of them natives of this Nation.

Wherefore defendant says that the petitioner is not shown to be an Indian under the laws of this Nation but is an alien and is not entitled to citizenship nor to any of the privileges thereof.

*The defendant deny that this has Commission has jurisdiction over this case*

R.B. Callahan,

Bunny McIntosh,

Attorneys for defendant.

*Bunny McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of Feb., 1896.

*Notary Public for Indian Territory*  
*and Mr. Rogers (Secy)*  
*R-P*

*Copy Com exp Oct-10<sup>th</sup>/1900*

4639

17

John Costelloe  
vs  
Creek Nation

Rejected

FILED SEPT. 9 1896. ★  
A. S. MCKENNON  
COM'R

Ennet Ind Ter  
 I J. F. Casey Do solemnly  
 swear that on the day of  
 Sep. 1896, I saw a package  
 registered at the postoffice at  
 Ennet Ind Ter. addressed to  
 the Chief of the Creek nation  
 at Okmulgee Ind Ter. that  
 registry receipt, no. 81 received  
 from postmaster, hereto attached,  
 is a receipt for said package,  
 which contained true copies of  
 the application of Amos Costlow  
 and of the affidavits of Lige Collier  
 Sam, Perry, S. E. Hames, and  
 J. N. Long Caroline Whitten,  
 W. J. Jeffries. in support of  
 same

J. F. Casey  
 Subscribed and sworn to  
 before me this the day  
 of Sep 1896

R. F. French  
 Notary Public

My commission expires Nov. 16 98

| REGISTRY RECEIPT.     |   |       |          |
|-----------------------|---|-------|----------|
| Post Office at        | Ennet Ind Ter                             |       |          |
| Registered Letter No. | 81  | Rec'd | 9-2-1896 |
| R. F. French          |   |       |          |
| addressed to          | Chief of Creek Nation<br>Okmulgee Ind Ter |       |          |
| J. F. Casey           |   |       |          |
| P. M.                 |   |       |          |

Sam Pennys  
Affidavit



Chickasaw Nation Ind. Ter.

Third Judicial Division

This day appeared before me the undersigned authority, Sam Perry personally well known to me and after being sworn deposes and says:-

I am (84) years of age my Post office is Wiley Ind. Ter. I knew John H. Costelow in Miss. I knew him to be a Creek Indian by blood and never knew him to be considered anything else than a Creek Indian, I also know Quell Costelow he is the son of John H. Costelow who I knew in Miss.

attest.

R. F. French

his  
Sam + Perry  
mark

Sworn and Subscribed to before me this 14 day of Sep 1896

R. F. French

Notary Public

My Commission expires Nov 16-98



September 6 1893 This is to certify that I know  
John H. Costaloe, and I am satisfied he were  
a half Creek Indian, and have heard others  
say that he were half Indian

Sworn to and subscribed <sup>in his long</sup> this <sup>month</sup>  
6 day of September 1893 W. H. Bailey J. P.

September 7 1893 This is to certify that I know John  
H. Costaloe the father of Emel Costaloe and  
knew him to be a half Creek Indian

Sworn to and subscribed before me this  
7 day of September 1893 W. H. Bailey J. P.

September 7 1893 W. J. Jeffries testifies. This is to  
certify that I know John H. Costaloe well and know  
~~his father were a full blood Creek Indian~~  
new the lady well that raised him and  
she says he were a half Creek Indian  
Sworn to & subscribed before me <sup>W. J. Jeffries</sup> this 7 day of Septem-  
ber 1893 W. H. Bailey J. P.

THE STATE OF MISSISSIPPI, WINSTON COUNTY.

I, ROBERT L. WOOD, Clerk of the Chancery Court in and for said County, do hereby  
certify that W. H. Bailey, whose official signature appears to  
the foregoing certificate of attestation, is now, and was at the time of signing the same,  
a duly qualified and acting Justice of the Peace in and for said County, and all his acts  
as such are entitled to full faith and credit.

Given under my hand and seal of office, the 8<sup>th</sup> day of September, 1893

Robert L. Wood, Clerk.

**End**

1896  
CR 18

1896  
CR 18

Before the Dawes Commission, Vinita, Indian Territory.

Julia Carter, and :  
her children :-----Plaintiffs.

VS. (Answer.

The Creek Nation,-----Defendant.

The defendant for answer says: The plaintiff does not  
allege and prove by a responsible disinterested native witness  
that she is of Muskogee descent not further removed than the  
fourth degree, as required by the laws of this Nation to entitle  
her to citizenship by blood and she has never been enrolled.

Wherefore the defendant says the plaintiffs petition  
must be dismissed.

*L. M. McIntosh*  
H. B. Callahan,

Burns McIntosh,  
Attorneys for defendant.

*Burns McIntosh*

says that he believes the matters and things  
set forth in the foregoing answer to be true.

*Burns McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896.

*Subscribed and sworn to before me*  
*James M. Rogers*  
*Notary Public*

*My Comm. exp Oct-10<sup>th</sup> 1902*

In the matter of the application of Julia Carter for citizenship in the Creek Nation.

Personally appeared before me the undersigned authority, Washington Jones, to me well known, upon oath deposes and says that he is the son of William Jones, and the brother of Nero Jones and that none of them were named Julia; that he does not know the applicants nor any one by her name. Affiant further says he was born and raised in the Creek Nation and is about thirty years of age and is well acquainted with his father's and brother's families.

Washington Jones,      his  
   X  
   mark

Sworn to and subscribed before me this 14th day of October, 1896.

S. B. Callahan,

National Atty.



REPORT OF VERA.

C. E. LUTHER.

WAS NOT IN THE CITY AT THE TIME OF THE ALLEGED ATTEMPT.

WALK X  
"RECEIVED JUNE 10 1900"  
HIS

WALK  
"RECEIVED JUNE 10 1900"  
HIS

WALK  
"RECEIVED JUNE 10 1900"  
HIS

WALK  
"RECEIVED JUNE 10 1900"  
HIS

WALK  
"RECEIVED JUNE 10 1900"  
HIS

WALK  
"RECEIVED JUNE 10 1900"  
HIS

United States of America,  
Northern Dist of the } ss  
Indian Territory

A. J. Powell being duly sworn  
upon his oath states that  
he has transmitted to the Principal  
Chief of the Creek Nation a  
copy of Julia Centus application  
for Citizenship in said Creek  
Nation together a copy of all  
the evidence in said claim

✓ A. J. Powell  
Subscribed and sworn to  
before me this 7 day of Sept  
1896.

✓ Thos. F. Turner  
Notary Public

United States of America  
Northern Dist of the } S.  
Indian Territory  
Lewis Bruner being duly sworn  
according to law deposes and  
says his name is Lewis Bruner  
that he is 47 years of age, that  
he was personally acquainted  
William Jones and his brother  
Nero Jones, that I have <sup>known them</sup> for 35  
years past, that Nero Jones had  
two children one boy and  
one girl, that the girl is  
now the wife of J. A. Carter, her  
name before she was married was  
Judy Jones. That William Jones  
was a recognized Citizen of the  
Creek Nation and enjoyed  
all the privileges of other Creek  
Indians, That Nero Jones the  
father of Judy Carter was a  
full brother of the said  
William Jones. That William  
Jones Name should appear on  
the Creek roll.

<sup>Witness</sup> Daniel M. Lewis Bruner <sup>his</sup>  
Subscribed and sworn to before me <sup>me</sup>  
this the 5th day of Sept. 1896  
J. F. Turner  
Notary Public

United States of America  
Northern Dist of the } ss.  
Indian Territory  
J. S. Carter, being duly sworn  
by me deposed and says his  
name is J. S. Carter that he  
is 47 years of age, that he  
knew Nero Jones and his brother  
William Jones. That he was  
at the home of William Jones  
which is situated in the  
Creek Nation near Okmulgee.  
That he heard William Jones  
say that Judy Carter was a  
daughter of his brother  
Nero Jones and that as soon  
as he was able to get away  
from home, he would go and  
have her name placed on  
the proper roll of the Creek  
Indians. That she was an  
Indian by virtue of his  
brother's Indian blood. That  
he died recently and was never  
able to attend to business.  
That William Jones had held the  
position of Supreme Judge of the Creek  
Nation,  
x J. S. Carter



Subscribed and sworn to before  
me this 7 day of Sept. 1896

1900

X Chas. F. Turner  
Notary Public



3706

Julia Bartlett  
v.  
Lester Watson

Filed 9/8/96

D. W. Jaroway  
Scriber

Repetid

Application for Enrollment,  
Before the United States Commission  
To the Five Civilized Tribes of Indians,  
Julia Carter, Et Al Application for  
vs Petition Admittance and  
Creek Nation, Ind. N. Enrollment.  
Respondent

Your petitioner Julia Carter states that  
her father Nero Jones was a  
Creek Indian by blood and a  
brother of William Jones, who was  
a duly recognized Citizen by blood  
by the proper authorities as such  
in said Creek Nation, that he  
enjoyed all the rights and  
privileges as other Creek Indians  
by blood in said Creek Nation  
That the name of the said  
William Jones should appear  
on the authenticated rolls  
of the said Creek Indians,  
That the petitioner is a daughter  
of Nero Jones and a niece of the  
said William Jones, that under  
the laws, usages and Customs  
of said Creek Nation or Tribe of  
Indians and the laws of  
the United States and treaties  
with said Indians,  
Your said petitioner is entitled  
to be admitted and enrolled

and numbered of said Creek  
Tribe of Indians in the Indian  
Territory and entitled to all the  
rights, benefits, privileges, and  
immunities of other Creek  
Indians by blood.

Enrollment of the family

| Name | Age | Relationship |
|------|-----|--------------|
|------|-----|--------------|

|              |    |     |
|--------------|----|-----|
| Henry Carter | 19 | Son |
|--------------|----|-----|

|              |    |          |
|--------------|----|----------|
| Emina Carter | 17 | Daughter |
|--------------|----|----------|

|           |    |     |
|-----------|----|-----|
| Ed Carter | 16 | Son |
|-----------|----|-----|

|              |    |     |
|--------------|----|-----|
| Ralph Carter | 15 | Son |
|--------------|----|-----|

|             |    |          |
|-------------|----|----------|
| Juba Carter | 14 | Daughter |
|-------------|----|----------|

|                |    |     |
|----------------|----|-----|
| Sherman Carter | 12 | Son |
|----------------|----|-----|

|              |   |     |
|--------------|---|-----|
| James Carter | 6 | Son |
|--------------|---|-----|

Wherefore the petitioner considers  
your petitioners pray that her  
name with those of her  
descendants be enrolled and  
admitted to all the rights,  
benefits, privileges and  
immunities of other Creek Indians  
by blood, and your petitioners  
will ever pray.

In support of said claim  
herewith the affidavit of  
Lewis Burn and J. S. Carter

And your petitioner respectfully  
awaits the time and place  
where her application shall  
be heard and tried and  
petitioner will ever pray &c.

A. J. Powree on behalf of Petitioner

The aforementioned petitioner Julia  
Carter says that the statements  
set forth in the above and  
foregoing petition are true  
according to her best knowledge  
information and belief.

~~Witness~~ A. J. Powree & Julia Carter her  
Subscribed and sworn to <sup>in person</sup>  
before me this 7th day of  
Sept. 1896

X Thos. F. Turner  
Notary Public



**End**



1896  
CR 19

1896  
CR 19

The State of Texas;

County of Tarrant ;

In the matter of the claim of Stephen Carr, the son of David Carr, a Creek Indian, for enrollment as a citizen of the Creek Nation, Indian Territory, as a Creek Indian by blood, on this day the 3rd day of September 1896, before me Thomas P. Martin Jr., a Notary Public in and for Tarrant County Texas, personally appeared M.B. Loyd to me well known to be a creditable person, who being by me first duly sworn testified in relation to aforesaid claim as follows: -That he knew David Carr the father of Stephen Carr above named in Tarrant County Texas, that David Carr was about three-fourths Creek Indian, that the said David Carr lived in Tarrant County in 1862, that Stephen Carr son of David Carr was born in 1862 or 1863 in Tarrant County Texas, or thereabouts. That Stephen Carr's mother was a negro slave and belonged to Hale Loyd, that the subscriber is a son of Hale Loyd, that Stephen Carr was always called the son of David Carr and so recognized by David Carr and the mother of Stephen Carr. *M.B. Loyd*

Sworn and subscribed to before me this 3rd day of September  
A.D. 1896.

*Thomas P. Martin Jr.*  
Notary Public, Tarrant County, Texas.

**REGISTRY RECEIPT.**

Post Office at Waynes Ind Ter

Registered Letter No. 148 Rec'd. Sept 8th 1896

of W. J. Watts

addressed to Chief Sparachuck  
Okanulga Ind Ter  
Harry J. Betts acting P. M.

Indian Territory  
 Northern Judicial Division

I W. J. Watts do solemnly swear  
 that on the 8<sup>th</sup> day of September 1896  
 I saw a package registered at the  
 post Office at Waynes Ind Ter addressed  
 to Governor or chief Sparachuck of  
 the Creek Nation at Okmulga Ind Ter  
 that registry receipt No 148 received  
 from the Post Master hereto attached  
 is a receipt for said package which  
 contained true copy of the Application  
 of Stephen Barr and of the Affidavits  
 of Green Loyd and Charlotte Loyd  
 and B. F. Loyd in support of same  
 Subscribed and sworn  
 to before me this day  
 of September 1896

W. J. Watts

Charles W. Hofford  
 Notary Public  
 my Com Expires May 20<sup>th</sup> 1899

As  
Stephen Lewis et  
al,

vs  
The Creek Nation

Plaintiffs

Defendants  
Copy of the  
plea of the  
Court

FILE

1896

U. S. DISTRICT COURT

FOR THE DISTRICT OF COLUMBIA

CLERK

R. W. Thompson

Chief Justice

U. S. DISTRICT COURT

Office in the Washington National Building

The U. S. District Court for the District of Columbia has no jurisdiction in the United States and Indian Territory to

Therefore the Court declares that because of the



BEFORE THE DAWES COMMISSION, VINITA, INDIAN TERRITORY.

Stephen Carr, for himself :  
his father and mother, :----- Plaintiff.  
wife and nine children, :

VS. ( Answer.

The Creek Nation,----- Defendant.

The defendant moves the Commission to dismiss this application because it does not conform to the rules of this Commission in this, the applicant does not set forth in his said petition the grounds upon which he claims citizenship in the Creek Nation.

2. The defendant says that it appears from the statements in said application that the applicant was born in the State of Texas; that his mother was a slave of a non-citizen and that the applicant never resided in the Creek Nation. *By the defendant*  
*denies the jurisdiction of this Commission and*  
therefore the defendant says that the applicant and his family are not entitled to citizenship in this Nation or to any of the privileges thereof.

S. B. Callahan,

Burns McIntosh,  
Attorneys for defendant.

*Burns McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Burns McIntosh*

Sworn to and subscribed before me this 21<sup>st</sup> day of Oct 1896

*Witness my hand & private seal* *Lucy M. Rogers (Seal)*  
*having no official seal.* *Notary Public*

*Commission expires*  
*Oct 10<sup>th</sup> 1900*



Wednesday Oct. 8th, 1886.

This is a decision rendered on a question whether or not a person born of a slave woman belonging to a citizen of the States and living therein prior to the War, by a slave father belonging to a Creek citizen is entitled under the laws of the Creek Nation to any portion of the rights and property of the father the same as children who have been born to him since he has become a citizen.

In considering this question it is important to take notice of the status of this class of persons before the great civil War in the United States in 1861 and prior to their being liberated. In doing this it is found that slaves were property bought and sold and owned the same as any other property and not supposed to be possessors. They had no right under the law to any property on account of relationship; consequently it is seemingly evident that the right of such persons under the laws of this Nation can only date back to the Treaty of 1866 with the United States, which is found to be as follows:

Art. 11. of the Treaty of the United States proclaimed Aug. 11 1866 reads, "Inasmuch as there are among the Creeks many persons of African descent who have no interest in the soil, it is stipulated that hereafter these persons lawfully residing in said Creek country under their laws and usages, or who have been thus residing in said country and may return within one year from the ratification of this Treaty and their descendants and such others of the same race as may be permitted by the laws of the said Nation to settle within the limits of the jurisdiction of the Creek Nation as citizens (thereof) shall have and enjoy all the rights and privileges of a native citizen including an equal interest in the soil and National funds.

In the opinion of the Court that from the above Treaty it is clearly shown that there are three classes of the African descent who are allowed to enjoy the rights of a Creek citizen, first: Those lawfully residing in this country at the time of the ratification of said Treaty, second: Those ~~men~~ who may have thus resided and may return within one year from the ratification of the Treaty, and their descendants; Third, and such others of the said race as may be permitted by the laws of this Nation to remain within the limits of the jurisdiction of this Nation.

Now, as such a class of persons forms the basis of this decision and does not come under the head of either one of said classes according to the terms of said Treaty, they are debarred from the privileges of enjoying any rights under the laws of this Nation, from the fact that they are undoubtedly citizens of the United States and as the laws of the Creek Nation are not applicable to citizens of the United States for the reason that Creek Nation has no jurisdiction over United States citizens. It is further held that such persons are not entitled under the laws of the Creek Nation to any of the rights or property of the father, because they have no rights under the laws, nor can the laws give them any protection whatever.

The Court further holds that the laws of the Creek Nation do not extend beyond her own citizens and to establish this the Court would cite as sufficient evidence the authority of the U.S. Indian Agent in all civil questions arising between citizens of the United States and Creek citizens.

-2-

Therefore this Court decides that persons born of slave women belonging in the United States and living therein prior to the War by slave men belonging to Creek citizens have no legal rights in the Muskogee Nation whatever.

D. A. Carr,

Chief Justice.

H. W. LeBlanc,  
Clerk.

I hereby certify that the foregoing is a true, correct and complete copy of the record in the office of the Citizenship Commission.

J. W. Lynch,  
Clerk.

P. I. F.

:-BEFORE THE HONORABLE COMMISSION:-

In the matter of the application for citizenship in the <sup>Creek</sup> Cherokee Nation, of Stephen Carr, do hereby certify, to-wit:

Pannie G. Carr, John D. Carr and Davis Carr.  
The claimant, Stephen Carr, is the son of Davis Carr, who was a Cherokee Indian by blood, as shown by the proof herein submitted.

Wherefore, the undersigned, the Honorable Commission, to adjudge him a citizen of the Creek Nation, and enroll his name and those of his aforementioned relatives in the Creek Roll, and grant to him and his aforementioned relatives all the rights, privileges of Citizens of the Creek Nation.

*Hubbard Garland & Wills*  
.....  
Counsel for Petitioners.

Subscribed to and Sworn before me  
this Sept 7<sup>th</sup> 1896

W. M. Math  
Notary Public

No

PETITION OF

for and on behalf of

and heirs

Attorney for Petitioner.



# APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the <sup>Creek</sup> Cherokee Nation:

GENTLEMEN: The undersigned your petitioner, *Stephen Carr* for and on behalf of *himself* and heirs, this day makes this statement in order to the purpose of being placed on the revised roll of <sup>Creek</sup> ~~Cherokee~~ Indians and to be entitled to share in the distribution of funds and allotments of land in <sup>Creek</sup> ~~Cherokee~~ Nation, in virtue of their <sup>Creek</sup> ~~Cherokee~~ blood, and therewith submit the

*See proof in affidavit of Green Loyd and Charlotte Loyd & child etc.*

In support of said statement, I declare that I am a *This* —application shall be heard and tried. Respectfully Submitted,

*Stephen Carr*  
*Frederick Kans*

Enrollment of said relationship attached, as follows:

| NAME                | AGE       | RELATIONSHIP                               |
|---------------------|-----------|--|
| <i>Stephen Carr</i> | <i>30</i> | <i>claimant is the son</i>                 |
| <i>Lucy Carr</i>    | <i>28</i> | <i>of David Carr who</i>                   |
| <i>Fanny G Carr</i> | <i>9</i>  | <i>was the son of</i>                      |
| <i>John D Carr</i>  | <i>5</i>  | <i>was a Creek Indian</i>                  |
| <i>Laura Carr</i>   | <i>1</i>  | <i>as shown in proof in this enclosure</i> |

In witness of which I hereunto set my hand on this *1* day *Sept* 1896

*Stephen Carr*

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner *Stephen Carr*

would state and show from the proof submitted to the Commission that he is a ~~citizen~~<sup>free</sup> by decent and by blood having been born in *Tarrant* County, State of *Texas*

on  day of  18 My fathers name was

*David Carr* My mothers name was *Fanny Lloyd*

That I now reside in *North Sp. Woodson County Mo. Finney P.O.*

and have resided there for *29* years. And he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And

he further avers that these facts being proved he is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation with all the rights, privileges and protection of Citizenship in such Nation. Wherefore he herewith respectfully submit to the consideration of the Honorable Commission such and on the hearing he be adjudged entitled to such citizenship and his name be placed upon the proper roll as a citizen of such Nation.

signature

*Stephen Carr*



State of *Arizona*

County of *Woodson*

SS

NOW on this *29<sup>th</sup>* day of *August* 189*6*  
personally appeared before me *W. E. Payne*

a Notary Public for said county and state

*Stephen Carr*

who being

duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this *29<sup>th</sup>* day of *August* 189*6*.

*W. E. Payne*

Notary Public.

*My commission expires Jan'y 2<sup>nd</sup> 1898.*

State of Texas  
County of Tarrant.

Exhibit "A"

In the matter of Stephen Carr, son of David Carr, formerly of the county and state aforesaid but now a citizen of Kansas, we the undersigned, Green Loyd and his wife, Charlotte Loyd, of state and county above written, depose and say that ~~they~~<sup>we</sup> have known Stephen Carr all his life; that the said Stephen Carr is a son of David Carr, a Creek Indian, supposed to be about three-quarter blood; that the aforesaid David Carr recognized said Stephen Carr as being his son; that the mother of Stephen Carr was a slave and belonged to Hale Loyd.

that the foregoing affidavit is made to have the rights of said Stephen Carr in the Creek nation Indian Territory this the 8<sup>th</sup> day of September 1896

Witness  
W. D. Park  
M. B. Loyd

his  
Green Loyd  
Charlotte Loyd  
mark

THE STATE OF TEXAS, County of Tarrant, ss. I, W. D. Park, Notary Public, do hereby certify that the foregoing instrument, executed by Green Loyd and his wife, Charlotte Loyd, is a true and correct copy of the original instrument, and that the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed, were under my personal seal of office at Fort Worth, Texas, on the 8<sup>th</sup> day of September, 1896.

Notary Public, Tarrant County, Texas.

**End**

1896  
CR 20

1896  
CR 20



No. 20

**RECEIPT**

FOR ORIGINAL PAPERS IN THE CASE OF

J. M. & Esther Clark

VS.

Creek ----- Nation.

Received and filed this day of

189

Secretary.

SEWATER JOE PORT FORT SMITH

..... vs. .... Nation, as follows:

.....CLASS

WITNESS my hand and official seal at Murcogen  
this the 9 day of April 1897  
Pauline  
Keato

No ~~2070~~ 4

J. M. Clark

vs.

Cross Nation

Order of Appeal

NOTICE.

270

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.  
In the matter of the application of  
**J. M. Clark** to be  
enrolled as citizens of the **Muskogee** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**J. M. Clark**

**Muskogee**

to be enrolled as citizens of the **Commission** Nation, from said

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **21st** day of  
**Jan. 1897.** A.D. 189

*William M. Springer*  
Clerk.

No. 20

J. W. Esterblazy  
VS.

James Watson



170

# NOTICE.

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

SS.

In the United States Court for said District.

In the matter of the application of

*J. M. Estabrook* to be  
enrolled as citizens of the  *Creek*  Nation.

TO THE *Honorable Commission*

You are hereby notified that an appeal has been taken in the matter of the application of

*J. M. Estabrook et al*

to be enrolled as citizens of the *Muskogee* Nation, from said  
*Commission*

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the *9* day of

*April* A.D. 189*7*.

*James M. Springer* Clerk.

**End**

1896  
CR 21

1896  
CR 21

State of Arkansas. }  
County of Logan }

In the matter of Morning Clarke  
Application for Enrollment

On this 5<sup>th</sup> day of Sept 1896 personally  
appeared before me, a Notary Public  
in and for the aforesaid County, duly  
authorized to administer oaths, Elizabeth  
McDontosh aged 60 years a resident of  
Belva, Scott Co. Ark. whose P.O. is Belva  
Ark. and Elisha Robertson aged 51 years,  
a resident of Poteau, Scott Co. Ark.  
whose P.O. is Poteau, Ark. not known  
to me, but I believe them to be reputable  
and creditable persons, and who being  
duly sworn by me declared in relation  
to the aforesaid case as follows.

Elizabeth McDontosh says she is ac-  
quainted with the Gentry family re-  
ferred to in application of aforesaid  
Morning Clarke's application for en-  
rollment, and has seen from the earliest  
recollection, that Morning Gentry was  
known and recognized to be a Creek  
Indian, that she resided and died  
in what is now known as Shelby Co  
Ala. Elisha Robertson says he  
was acquainted with the Gentry

Jan A. McDontosh  
Clerk

JAN 25 1897



family who resided in Shelby Co  
Ala. that they resembled or looked  
like Indians, and were so recognized  
by the people who knew them.

Witness J. E. Carlow Elizabeth <sup>her</sup> McIntosh  
J. W. Cole Elisha Robertson

Severin\* and Subscribed to before me  
this 5<sup>th</sup> day of Sept 1896

J. D. Carlow A.P.

Comm Expires 27 day of Nov 1898



..... vs. .... Nation, as follows:

V8

..Nation, as follows:

WITNESS my hand and official seal at Muscogee  
this the 29<sup>th</sup> day of January 1897  
Jas. A. Winston  
Clerk

No. 21

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

James Clark

VS.

Over the Nation

Nation.

Received and filed this... day of

189...

Secretary.

RECEIVED FOR PRINT PORT SMITH

B R I F.

:--BEFORE THE HONORABLE JAMES COMMISSION--:

In the claim for citizenship in the Cherokee Nation, of Morning Clarke and her children, to-wit-

Martha Jane Clarke, George Clarke, Roxie Clarke, James Clarke, John Henry Clarke, Con Clarke and Rosette Clark.

We append the following statement: The claimant, Morning Clarke, is the daughter of Harilza Miller, who is the daughter of Morning Gentry, who lived in Shelby County, Ala. and who was regarded and recognized as a Creek Indian, and Morning Clarke claims to be a Creek Indian by blood, as shown by proof contained in the affidavits of Elizabeth McIntosh herewith respectfully submitted.

In the claim of Martha Jane Clarke, George Clarke Roxie Clarke, James Clarke John H. Clarke, Freeman Eliza Clarke, Con Clarke and Rosette Clarke, children of Morning Clarke and claim to be Creek Indian by blood as shown by the proof herewith respectfully submitted.

Therefore, we most respectfully ask, that the said Morning Clark be admitted and enrolled as citizens of the Creek Nation.

*H. H. Gentry*  
.....,

Att'ys for Petitioner.

FILED  
JAN 29 1897  
*James A. McIntosh*  
Clerk

REGISTRY RECEIPT.

Post Office at WABINGTON  
Registered Letter No. 154 Rec'd Sept 9th 1896  
of W. J. Watts  
addressed to Wagoner St.  
Seapark Hotel, Chicago, Ill.  
Chmiller St.  
Harry J. Watts acting M.

370

J. W. L. Lane  
V.

Green Station

Registered

FILED  
JAN 29 1897  
J. W. L. Lane



Indian Territory  
Northern Judicial Dist.

I, E. Watts do solemnly  
swear, that on 9 day Sept 1896  
I delivered a package to Post-  
Master at <sup>Wm.</sup> S. T. addressed  
to Separation, of Creek  
Nation Ind. Ter. Okmulgee  
S. T. that the registry receipt  
No. is 13th received from  
Post Master and is hereto  
attached. That this is a receipt  
for the said package which  
contained a true copy of  
the original application of  
Mary McCallan

E. Watts

Subscribed and sworn to before  
me this 9 day September 1896

N. J. Watts  
Notary Public

POOR ORIGINAL -  
BEST AVAILABLE COPY

No. \_\_\_\_\_  
PETITION OF

\_\_\_\_\_

for and on behalf of

\_\_\_\_\_

and heirs

*Hubbard, Kurland  
& Watts*

Attorney for Petitioner.

# APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. MCKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the ~~Cherokee~~ <sup>Creek</sup> Nation:

GENTLEMEN: The undersigned, your petitioner, *James Clarke* for and on behalf of *Morning Clarke*, his wife, and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of ~~Cherokee~~ <sup>Creek</sup> Indians and of those entitled to share in the distribution of funds and allotments of land in ~~Cherokee~~ <sup>Creek</sup> Nation, by virtue of their ~~Cherokee~~ <sup>Creek</sup> blood, and I herewith submit the

*Morning Clarke is the daughter of Marilza Miller who was the daughter of Morning Gentry, who resided and died in Shelby Co., Ala.*

in support of said claim, and respectfully await the time when *this* application shall be heard and tried.

Respectfully Submitted,

*James Clarke*

Enrollment of family, with relationship attached, as follows:

| NAMES.                | AGE.      | RELATIONSHIP.      |
|-----------------------|-----------|--------------------|
| <i>James Clarke</i>   | <i>66</i> | <i>Husband</i>     |
| <i>Morning Clarke</i> | <i>62</i> | <i>Claimant</i>    |
| <i>Martha Jane</i>    | <i>41</i> | <i>daughter of</i> |
| <i>Ises</i>           | <i>40</i> | <i>Son</i>         |
| <i>Roxie</i>          | <i>35</i> | <i>daughter</i>    |
| <i>James</i>          | <i>29</i> | <i>Son</i>         |
| <i>Mrs Henry</i>      | <i>28</i> | <i>"</i>           |
| <i>Freeman</i>        | <i>22</i> | <i>"</i>           |
| <i>Eliza</i>          | <i>21</i> | <i>"</i>           |
| <i>Con</i>            | <i>18</i> | <i>"</i>           |
| <i>Rosettie</i>       | <i>25</i> | <i>daughter</i>    |

FILED

JAN 29 1897

*Jan A. Winston*

In witness of which I hereunto set my hand on this *5* day *Sept* 1896

*S. D. Carson N.P.*

*Sept 27 day Nov 1898*

**End**

1896  
CR 22

1896  
CR 22





Indian Territory,  
Northern District.

Personally this day appeared before the undersigned authority, Snow Sells, who being duly sworn states on oath that he know Mahaley Cousins, and he knew Jackson Cousins a full blood Creek Indian who during his life time before the late war and up to the time of his death a year or two after the surrender resided in Coweta Town in the Creek or Muskogee Nation. That Mahaley Cousins was the slave of Jackson Cousins; that affiant knew her as such. That she was living at the home of her Master in Coweta Town, Creek Nation at the time when she and all the slaves was freed. That affiant knew Mahaley at the time and has since. She has lived in Coweta Town from the time she was made free, to the present time. Affiant feels confident Mahaley has never been out side of the Creek Nation since her birth except when hired out during the war to some people in Texas, but she came back from Texas and was in the Creek Nation in 1866 at the time of the making of the treaty. Affiant knows that Mahaley Cousins has six children, all born in Coweta Town, Creek Nation. The names of her said children are Vina, Samuel, Mollie, Fildy, James William and Sarah. Affiant knows that Mahaley Cousins is the identical woman she represents herself to be in her application and petition which affiant has heard and full hands. Affiant is and intimately acquainted with Mahaley Cousins and knows her to be an honest, industrious, trustworthy woman. Affiant is of no kin to Mahaley Cousins, and has no interest in her case. Further affiant saith not his  
Snow X Sells,  
mark  
Sworn and subscribed to before me on this the 5th day of September, 1896  
Pearl Fiddleman, Notary Public.

POOR ORIGINAL -  
BEST AVAILABLE COPY



Before the Dawes Commission, Vinita, Indian Territory.

Mahala Cousins,  
and family,-----Plaintiff.

VS. ( Answer.

The Creek Nation,----- Defendant.

The defendant says: That the said applicant Mahala Cousins who is a person of African descent was not lawfully residing in the Creek Nation at the date of the making of the Treaty of 1866 and did not return to said Nation within one year from the ratification of said Treaty.

*2. The Creek Nation. Said Nation is not entitled to hear evidence in this case.*

Wherefore defendant says the petitioner is not entitled to citizenship in this Nation or any of the privileges thereof.

S. P. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bunnie M. McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunnie M. McIntosh*

Sworn to and subscribed before me this 22 day of June, 1896.

*John W. Rogers*  
Notary Public

*Comm exp Oct-15th 1908*

Letter  
1 To Dawes Commission



J. C. PETTIGREW,  
UNITED STATES CONSTABLE.

To H

Muscogee, Ind. Ter. Sept 5<sup>th</sup> 1896

Hon<sup>ble</sup> Mr Dawes Commission  
Vinita

Dear Sir,

Platz. I send you herewith the  
original papers in the matter  
of Mahaley Cousins, applicant  
for Citizenship Enrollment in the  
Creek or Muscogee Nation. which  
please file and acknowledge  
I also send you herewith original  
papers in the matter of Caroline  
Pearce, applicant for Enrollment  
in Creek or Muscogee Nation. which  
also please acknowledge

I also send certificates of registry of the  
copies of said papers, at the PO here  
addressed to acting Pr Chief of the  
Creek or M<sup>n</sup> Nation. with proper  
affidavits attached

Very truly  
Yours  
J. C. Pettigrew  
Muscogee Ind Ter

Ind Ser  
N Dist

I Bessie Scott do solemnly  
swear that on the 5th day of  
Sept 1896 I saw a package reg-  
istered at the Post office at  
Muscogee I. T. addressed to Robt  
McIntosh 2nd and acting Prin-  
cipal of the Muscogee Nation  
Ind Ser that registry receipt  
NO 159 received from Post master  
hereto attached is a receipt for  
said package which contained  
true copies of the application  
of Mahaley Cousins and of the  
Affidavits of Nina Primmer and  
John Wells in support of same  
Subscribed and  
 sworn to before me  
on the 5th Sept 1896. Bessie Scott

Beulah E. Edgerton.  
Notary Public.

~~3444~~ 22

Mahala Loring  
N 2.

Loring nation

Admit applicant

applicant & child

Filed Sept 8 1886

G. S. McKinnon

born.

J. B. M. Turner

Manager

Abila.

Indian Territory,  
Northern District.

Personally this day appeared before the undersigned authority, Snow Sells, who being duly sworn states on oath that he knows Mahaley Cousins, and he knew Jackson Cousins a full blood Creek Indian who during his life time before the late war and up to the time of his death a year or two after the surrender resided in Coweta Town in the Creek or Muskogee Nation. That Mahaley Cousins was the slave of Jackson Cousins; that affiant knew her as such. That she was living at the home of her Master in Coweta Town, Creek Nation at the time when she and all the slaves was freed. That affiant knew Mahaley at the time and has known her ever since. Mahaley has lived in Coweta Town from the time she was made free, to the present time. Affiant feels confident Mahaley has never been out side of the Creek Nation since her birth except when hired out during the war to some people in Texas, but she came back from Texas and was in the Creek Nation in 1866 at the time of the making of the treaty. Affiant knows that Mahaley Cousins has six children, all born in Coweta Town, Creek Nation. The names of her said children Are Vina, Samuel, Mollie, Tildy, James William and Sarah. Affiant knows that Mahaley Cousins is the identical woman she represents herself to be in her application and petition which affiant has heard and fully understands. Affiant is and intimately acquainted with Mahaley Cousins and knows her to be an honest, industrious, trustworthy woman. Affiant is of no kin to Mahaley Cousins, and has no interest in her case. Further affiant saith not.

his  
Snow X Sells,  
mark

Sworn and subscribed to before me on this the 5th day of September,  
1896.

Pearl Eddleman, Notary Public.



Indian Territory  
Northern District

Personally this day appeared before the undersigned authority Snow Sells who being duly sworn states on oath, That he knows Mahaley Cousins and he knew Jackson Cousins a full blood Creek Indian who during his life time before the late war and up to the time of his death year or two after the surrender resided in Coweta town in the Creek or Muscogee Nation That Mahaley Cousins was the slave of Jackson Cousins that affiant knew her as such, that she was living at the home of her master in Coweta town Creek Nation at the time when she and all the slaves was freed That affiant knew Mahaley at the time and has known her ever since Mahaley has lived in Coweta town from the time she was made free to the present time. Affiant feels confident Mahaley has never been out side of the Creek Nation since her birth, except when hired out during the war to some people in Texas, but she came back from Texas and was in



the Creek Nation in 1866, at the  
time of the making of the treaty,  
Affiant knows that Mahaley  
Cousins has six children all  
born in Coweta town Creek  
Nation. The names of her said  
children are Vina, Samuel  
Mollie, Fildy James William and  
Sarah. Affiant knows that Mahaley  
Cousins is the identical woman  
she represents herself to be in  
her application & petition  
which Affiant has heard read  
and fully understands Affiant  
is well and intimately acquainted  
with Mahaley Cousins and knows  
her to be an honest industrious  
trust worthy woman.  
Affiant is of no kin to Mahaley  
Cousins and has no interest in  
her case.

Further Affiant saith not.

Shew <sup>his</sup> ~~the~~ Sells

mk Attest

<sup>sworn</sup>  
Subscribed and  
Subscribed to before  
me on this the 5th  
day of Sept 1896,

Paul Edelman.

Notary Public.

Original

application of Mahaley Cousins.  
To H.

I am John S. Adams, Hon. J.  
L. Armstrong Hon Archibald  
McClun Hon Thos B. Chabris  
Hon C. J. Montgomery United  
States Commissioner authorized  
by an ~~act~~ Congress of June  
4th 1896 to hear and determine  
claims for compensation in the  
Mustogee or Creek Nation  
The father of Mahaley Cousins  
showed me a copy of a copy  
of a ge and was born in the Creek or  
Mustogee nation. She has six  
children Vera, Sam, Mollie, Floy  
John, Sam, & Sarah. I belonged to  
Jackson Cousins a full blood Creek  
or Mustogee Indian who resided  
in said nation all his life, and died  
in said nation. Before the surrender and  
during the late war my master hired  
me to the people in Texas, where  
I stayed till my time was out when  
I returned to my master's home I lived  
in the nation from the time the colored  
people were set free to the present  
time I have never had any  
other home than in the Creek nation.  
I was born the slave of a full  
blood Creek Indian - Jackson Cousins.  
I was raised by him, and lived at  
his home in the Creek nation except

when I was forced out in 1866 during  
the war. My children were all born  
in the Creek nation.

I pray that I be enrolled on the  
Citizenship roll of the Creek Nation  
together with my children, named herein  
and declared to be entitled to all tribal  
rights privileges and immunities  
I was by prejudice and personal spite  
of unscrupulous enemies deprived of  
my Citizenship in the Creek Nation.  
Not because I was not justly entitled  
to it under the treaty of 1866, but just  
because I was not willing to be  
robbed by leeches of the privilege  
of holding my birth right.

My statements made herein are  
literally true, and can be proved  
by hundreds of people who know  
the facts. I herewith file affidavits  
of reliable witnesses to sustain my claims.

Petitioner asks favorable consideration  
of her claim, that the same be granted  
to her and children, her heirs &c.

Attest J. M. Turner

Mahaly<sup>her</sup> Cousin  
J. M.

Shorn to and subscribed to  
before me on this the 3d  
day of Sept 1896.

J. A. Rex  
Notary Public.



No Indian Territory - 3 Ex parte  
Northern District 3

Personally on day before me  
a notary Public in  
the U S District Court of Northern  
Dist of the Ind Terr appeared  
Diana Munn who being duly by  
me sworn states on oath that she  
is a citizen of the Creek or Muskogee  
Nation. She is sixty years of age  
I have known Mahaley Cousin  
a colored woman of the Creek  
or Muskogee Nation all of her  
life. I know that she saw Mahaley  
Cousin belonged to Jackson  
Cousin before the war and up  
to the time the colored slaves were  
set free. I know that Jackson Cousin  
resided in the Creek Nation for  
years before the war of the states.  
during said war and up to the  
time of her death I know that Jackson  
Cousin was a full blood Creek  
Indian. I know that Mahaley  
Cousin except when carried as  
a slave, was never out of the Creek  
Nation but has resided here all  
her life. I know that she was living  
in the Creek Nation at the time she  
was set free. I know she lived in the  
Muskogee or Creek Nation in 1866  
and has lived here all the time  
since. I know that Jackson Cousin

never resided outside of the Creek  
Nation, and that Makaley was never  
out of the Creek Nation except when  
hired out by her master to some  
people in Texas, and when her  
time was out she returned to her  
master's home in the Creek Nation.  
I want to say and I want you  
to put it in that if there is one  
single one of the colored women  
of the Muscogee Nation fitted  
to put on that Citizen roll, for  
God that woman is Makaley  
Coker. The 2<sup>nd</sup> is, I have not  
seen the document said not  
found and subscribed <sup>her</sup> Makaley Coker  
before me on the 3<sup>d</sup>  
day of September 1896.

J. A. Rex  
Notary Public



Wahaley Cousins  
App. for the allotment  
Muskegee or Creek  
Nation.

REGISTRY RECEIPT.

Post Office at

Registered Letter

No.

59

Rec'd

9/5

1896

of *Wm. Bussie Scott*

addressed to

*Gen. Rely. McIntire 204 Ave. High*

*Exeter N.H.*

*F. M. Bussie*

P. M.

**End**

1896  
CR 23

1896  
CR 23

# Commission to the Five Civilized Tribes.

I, Vester Muller do solemnly swear that on the 6  
day of Sept, 1896, I saw a package registered at the postoffice at Flat Summit  
Ark addressed to Tapeachee  
Governor or Chief of the Ark Nation, Oklmulgee Indian Territory,  
that Registry Receipt No. 385 received from postmaster, hereto attached, is a receipt for said package, which  
contained true copies of the application of Belle Cox and of the  
affidavits of Sam Vain  
in support of same.

Subscribed and sworn to before me, on this 6 day of Sept, 1896.  
State Ark -  
County Sebastian Thos W. Smith N. P.  
Com. Ex. Mch. 14 1900



# APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. MCKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1898, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:- The undersigned, your petitioner, for and in behalf of herself and her children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which her claim is based are as follows, to-wit:

Belle Cox  
That the name of your petitioner is Belle Cox; that her post-office address is Van Buren, Ark. That she is one-eighth Cherokee blood, one-eighth Creek blood. That she derives her Creek blood from her mother, James N. Gentry, who was the son of the late Benjamin Gentry who was the son of Silas Beon, who was a full blood Creek Indian, and who resided near Richmond, Virginia, and who was a full blood Creek Indian, and who immigrated to the Creek Nation in the Indian Territory, and died there. That this petitioner intermarried with Levin Cox, and by such intermarriage there were born, and are now living, the herein below mentioned children. That said children are of Cherokee blood and descent.

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely:

*Official record of Levin Cox*  
and respectfully awaits the time and place when my application shall be heard and tried.  
Respectfully submitted,  
Belle Cox  
Applicant.

| NAMES.  | AGES. | RELATIONSHIP. |
|---------|-------|---------------|
| Paul    | 19    | son           |
| Holery  | 9     | son           |
| Lizzie  | 6     | daughter      |
| Rebecca | 4     | "             |
| Anna    | 2     | "             |
| Babie   | 1     | "             |

Indian Territory, State of Arkansas  
County of Sebastian  
Personally appeared before me, the undersigned, a Notary Public within and for the County of Sebastian, State of Arkansas, Belle Cox, who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as she verily believes.  
Subscribed and sworn to before me this the 5 day of Sept, 1898.  
My commission expires on the 15 day of March, 1900.  
Notary Public.

No. 1451

IN THE MATTER OF

*2 B*  
*Belle Cox*

PETITION AND MEMORIAL

...FOR...

CITIZENSHIP

In the *Seek* Nation, I. T.

*Filed 7 Sept 1896*  
*H. M. J. J. J. J. J.*  
*CLK*

*Respectfully*

*Joseph A. Miller*  
*JAM*

# Affidavit of Witness.

In the matter of Petition and Memorial of Belle Cox

for Admission to Citizenship in the Creek Nation.

STATE OF Arkansas

COUNTY OF Sebastian

NR.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared George W. Vann who, after being by me duly sworn, states:

That he is 81 years of age, and a resident of the State of Cherokee Nation  
Sequoyah Dist. and that he is personally acquainted with  
Belle Cox who is an applicant for Citizenship in the

Creek Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

that this affiant has known the said Belle Cox for the past seven or eight years, and this affiant knows that the said Belle Cox has been recognized by her neighbors and acquaintances as being of Creek blood and descent.

Affiant further states that he knew James N. Gentry, and knows that the said Belle Cox was always considered his daughter. Affiant further states that the said James N. Gentry of ten told this affiant that he was of Creek descent, being the son of the late Benjamin Gentry, a recognized Creek Indian, and who resided near Richmond, Virginia.

Affiant further states that from what he knows and has heard of the said Belle Cox, he most firmly believes that she is of Creek blood, and descends, and is rightfully and justly entitled to the rights of citizenship in the Creek Nation, by virtue of her Creek blood.

Affiant further states: That he has known the said Belle Cox for the past 5 years, and knows that she has been and is recognized by neighbors, acquaintances and the public generally, as having Indian blood, and that the complexion and physical appearance of the said Belle Cox indicate that she is of Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Belle Cox he believes the said Belle Cox to be a descendant by blood of the Creek Indian Tribe.

Subscribed and sworn to before me, on this 5<sup>th</sup> day of Sept. 1896.

My Commission expires... March 14 1900.

There is no potential for water supply reduction

Veronica J. Gellman  
Prima Historia

# CONFIDENTIAL

3400

[illegible]

The following are the names of the persons who have been appointed to the various committees of the Board of Directors:

[illegible]

Ac. (MBA 25)

COFFEE COX'-----5787466

before the House Committee, "United Nations Today".



The 18 of September because not further removed than the fourth  
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 more over in the 18th of September 1944  
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FILED OCT. 23 1896  
A. S. McKENNON,  
COM. R.

The following are the names of the persons who have been appointed to the various committees of the Board of Directors:

החוקים וההנהגות, וכל מה שיהיה צורך בו.

Ac. (MBA 25)

COFFEE COX'-----5787466

before the House Committee, "United Nations Today".



Before the Dawes Commission, Vinita, Indian Territory.  
Welle Cox,-----Plaintiff,  
VS. ( Answer,  
The Creek Nation,-----Defendant.

The defendant says: That the application of said applicant shows that she is a resident and citizen of Van Buren, in the State of Arkansas and it does not appear that she or her father were ever in the limits of this Nation.

2 That the affidavit filed by said applicant does not prove that she is of Muskogee descent not further removed than the fourth degree; that her said witness, George Vann is not shown to be a responsible and disinterested native witness as required by the laws of this Nation; and further that the allegations of said application show that she is an Alien under the laws and not entitled to citizenship in this Nation or to any of the privileges thereof. 3. *The defendant says that the Commission has no jurisdiction over this case*

S. B. Callahan,

Rummy McIntosh,  
Attorneys for defendant.

*Rummy McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Rummy McIntosh*

Sworn to and subscribed before me this 22 day of Oct. 1896.  
*Witness my hand and private seal having no official seal*  
*and in presence of*  
*W. B. ...*

*My Comm. Exp. - 10-10-1900*



**End**

1896  
CR 24

1896  
CR 24

Susan D. McIntosh being first duly sworn says:

I am about 65 years old and am a Creek citizen by blood. I was born in the Creek Nation, Indian Territory. I know Chaney, Cousin

I have known her since she was a little girl, long before the civil war. She was a slave of Jackson Cousins, a Creek Indian and my uncle's stepson. I lived at my uncle's where Chaney's master made his home.

~~When the war broke out Jackson Cousins went to Texas taking Chaney with him.~~ Several years before the civil war broke out Jackson Cousins hired Chaney out for four years in Texas, and Chaney did not return before the war. After the war she returned to the Creek Nation and to my house. I don't remember the year but Samuel Cheatah was then Chief.

Chauncy Cousins being first duly sworn  
says

I am about sixty five years old. I was born in the Creek Nation Indian Territory, and was a slave of Jackson Cousins a Creek Indian. I was sent to Texas by Jackson Cousins to serve his aunt whose name was Becky Hagerty, now dead, but did not sell me. I was told that I was to remain in Texas four years. Six months before my time was up and before the war broke out, Jackson Cousins came to Texas and told me he would return and take me to Indian Territory as soon as my time was out. He took sick and died and never came for me. I remained with Mrs. Hagerty, having no money with which to go back to the Creek Nation.

I returned to the Creek Nation in July but I don't remember the

21

year. It was several years after  
peace was declared. I have never  
been on any roll and have never  
been recognized by the Creek Nation as  
a citizen.



born in the Mexican Union to be free

and he believes the Mexican and Chinese are

Victims of the Chinese

and I am

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Before the Dawes Commission, Vinita, Indian Territory.

Chancy Cousins,-----Plaintiff.

VS. (Petition to be enrolled.

The Creek Nation,----- Defendant.

-----;

1. The defendant for answer says: That the plaintiff is a person of African descent and does not show by the allegation in her complaint nor in the affidavits filed in support thereof that she came back to the Creek Nation in one year from the date of the ratification of the Treaty of 1866. *as was here where the treaty was made*

2. The defendant demurs to the plaintiff's complaint, because it does not state facts sufficient to constitute a right to enrollment in the Creek Nation.

3. *The defendant and her husband demurs because this man Cousin has no jurisdiction in this cause*

S. P. Callahan,

Bunny McIntosh,

Ben T. DuVal,  
Attorneys for defendant.

*Bunny McIntosh*

says he believes the matters and things set

forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of Oct 1896

*whereby hands shown official seal*

*and having read the foregoing*  
*and the papers*

*notary Public*

*my commission expires*  
*Oct 10 1900*

Indian Territory  
Northern Judicial District

I certify that I have this day  
mailed a copy of Application  
and affidavits for Cheney Cousins  
to the Principal Chief of the Muskogee  
Nation —

Joshua Ross  
Notary Public —

70-68 21  
Daniel Danvers

~~for the~~  
17

Cook Nation

FILED SEPT. 10 1896. ★  
A. S. McKENNON  
COM 'R'

Revised

Munroe & T.

The Hon. Commission to the Five Civilized Tribes  
of the Indian Territory - Vinita, I.T.

I have the honor to make application to be  
enrolled as a Colored Citizen of the Muskogee  
Nation. My age is about 45 years. My Nat  
Office is Muskogee Indian Territory - I  
live in the Colored Creek Town of Arkansas. I was  
hired out of the Nation in Marshall Texas.  
~~four~~ <sup>four</sup> years and after peace was declared ~~in~~  
~~Does not know how long after~~ when I returned to my old home in  
the Creek Nation, Coweata District. I was  
a slave of Jackson Cousin, a Creek Indian  
by blood and a son of Katy McIntosh, half  
sister of Hon. D.W. McIntosh, deceased. I further  
state that I was never sold out of the Creek  
Nation - Daniel Carr, a Colored Creek man  
was my father and my mother was named  
Zena Cousin, or Zena McIntosh. I now ask to  
be enrolled as a Colored Citizen of the Creek Nation.  
My husband, Ned Jacob is a citizen of the  
Creek Nation and I want to be with him.

Witness

Chaney Cousins <sup>her</sup> mark

Joshua Ross - { sworn to and subscribed }

before me this 8th of September 1896 ( Joshua Ross, Notary Public )

Also personally appeared Jacob Perryman  
to me well known who declares on oath  
that he has known the above named applicant  
Chaney Cousins from childhood and  
know every word she has spoken is true



And she should be enrolled as a citizen of the  
Creek Nation—

Witness mark  
Joshua Ross—

Jacob <sup>his</sup> Perryman  
mark

Sworn to and subscribed before me  
this the 8<sup>th</sup> day of September 1896—

Joshua Ross  
Notary Public—

Alas Ned Jacob, under oath declares that  
he is a citizen of the Creek Nation and is the  
husband of the above named applicant,  
Chaney Cousins— and under Indian custom  
she keeps her maiden name— and not his—  
He asks her to be enrolled as a citizen of  
the Creek Nation to be with him—

Witness mark  
Joshua Ross—

Ned <sup>his</sup> Jacobs <sup>to</sup>  
mark see below

McLillivay D. Harmon

Sworn to and subscribed before me this the  
8<sup>th</sup> day of September 1896—

Joshua Ross  
Notary Public—

Ned Jacobs, alias Ned Jacob Berrysol  
Berrysol was a Creek Indian by blood—

Also personally appeared Joseph P. Davidson -  
on - a Citizen of the Creek Nation who  
declares under Oath that he has  
for many years known Chaney Cousins  
the applicant for citizenship in the  
Creek Nation - She was hired out  
in Texas before the war but he does  
not remember in what year the  
said Chaney Cousins returned to her  
old home in the Creek Nation -  
Witness to mark - Joseph P. Davidson his  
Joshua Ross - mark

Sworn to and subscribed before me  
this 9<sup>th</sup> day of September 1896 -  
Joshua Ross  
Notary Public -

**End**

1896  
CR 25

1896  
CR 25

25

Morgan's L. ... at al.

VS.

Inventive

c/100

15.

c/10.0



In the United States Court for the Northern District, Indian Territory,  
at Muskogee,

In the matter of the application of Wm. R. Cook, Marcus D. Cook and  
Mary E. Simpson, to be enrolled as citizens of the Creek or Muskogee  
Nation.

To the Commission to the Five Civilized Tribes:

It is ordered by the Court that you forthwith transmit  
to this Court all papers and evidence filed with you and now in your cus-  
tody in the matter of the application of Marcus D. Cook and Mary E.  
Simpson for citizenship in the Creek Nation, said papers to be used  
on the trial of this case in this court on appeal.

Witness my hand and the seal of said Court this 14th day of June,  
1897.

*J. Allison*  
Clerk.

Second requisition

No. 25

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Wm. D. Lewis & al

VS.

Lewis & al Nation.

Received and filed this day of

189

Secretary.

RECORDED FOR FURTHER PROCEEDINGS

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of  
Wm. S. Boone et al vs Cherokee Nation, as follows:

|                           |  |
|---------------------------|--|
| Petition                  |  |
| Proof of service          |  |
| affidavit A. B. Boydell   |  |
| Petition Henry E. Simpson |  |
| Proof of service          |  |
| affidavit Royal S. Boone  |  |
| Answer of Cherokee Nation |  |
|                           |  |
|                           |  |
|                           |  |
|                           |  |
|                           |  |
|                           |  |
|                           |  |

WITNESS my hand and official seal at

this the 15 day of June

1897

*Missouri*  
*Commissioner*  
*W. M. Jacoway, Jr.*  
*Seal*

**End**

1896  
CR 26

1896  
CR 26



No. *26*

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Wm. R. Cook Et al*

VS.

*Crack*

Nation.

Received and filed this

day of

189.

Secretary.

REYNOLDS JOB PRINT PORT SMITH.

..... vs. .... Nation, as follows:

VS

Nation, as follows:

WITNESS my hand and official seal at

this the 26 day of

1897

Clerk

No 26

Wm R. Carr & Co

To

Creek Nation

Order of Appeal

## NOTICE.

242

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

In the United States Court for said District.

In the matter of the application of

SS. Wm. R. Cook et al

to be

enrolled as citizens of the

Creek

Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

William R. Cook, Marcus D. Cook and Mary E. Simpson,

to be enrolled as citizens of the Creek Nation, from said

Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 20th day of  
Jan. 1897. A.D. 189

Clerk:

**End**



1896

CR 27

CR 27

1896

Notary Public

John B. Hale  
No.

PETITION OF  
John B. Clark  
A. O. Perry

'for and on behalf of

himself

and heirs

Respected

Garland  
W. J. Wain + W. B. Wain  
Attorney for Petitioner.

# APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the ~~Cherokee~~ <sup>Creek</sup> Nation:

GENTLEMEN: The undersigned, your petitioner, *John B Hale* for and on behalf of *himself* and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of ~~Cherokee~~ <sup>Creek</sup> Indians and of those entitled to share in the distribution of funds and allotments of land in ~~Cherokee~~ <sup>Creek</sup> Nation, by virtue of their ~~Cherokee~~ <sup>Creek</sup> blood, and I herewith submit the

*affidavits of L C Perryman, Sackey Grayson Gabriel Jamison N. B. Children*

in support of said claim, and respectfully await the time when *their* application shall be heard and tried.

Respectfully Submitted,

*John B Hale*

Enrollment of family, with relationship attached, as follows:

| NAMES.                        | AGE.      | RELATIONSHIP.  |
|-------------------------------|-----------|--|
| <i>John B Hale</i>            | <i>58</i> | <i>John B Hale claims to be a Creek Indian by blood, and as such he and his aforementioned children were enrolled upon the Census Roll of Arkansas Territory, Creek Nation by the Terr Chief Gabriel Jamison during the year 1893 by the order of the District Judge Wesley Siger, and were recognized by the authorities as citizens, enjoying all the rights, privileges and immunities of citizens of said Creek Nation</i> |
| <i>Mary Hale, (wife)</i>      | <i>55</i> |  |
| <i>John W Hale</i>            | <i>24</i> | <i>But since that time he and his children have been stricken from the Rolls of the Creek Nation</i>   |
| <i>Ellen Hale</i>             | <i>21</i> |  |
| <i>Ada Hale</i>               | <i>15</i> |  |
| <i>Frank Hale</i>             | <i>12</i> |  |
| <i>Louisa Carver nee Hale</i> |           |  |
| <i>Grand children</i>         |           |  |
| <i>Scott Carver</i>           |           |  |
| <i>Eddy Carver</i>            |           |  |
| <i>Thomas Hale,</i>           |           |  |

In witness of which I hereunto set my hand on this *1st* day *Sept* 1896

*John B Hale*

Indian Territory  
Northern Judicial Division { 15

Now on this 14 day of September 1896  
personally appeared before me W. J. Watts  
a Notary Public within and for said District  
and Territory. ~~John B. Hall~~ <sup>John B. Perry</sup> who being duly  
sworn upon his oath states that the facts set  
forth in the foregoing Application are true

Given to and subscribed before me this 14 day  
of September 1896

W. J. Watts  
Notary Public

John B. Hall

PETITION OF

John B. Hall

for and on behalf of  
his heirs

and heirs

By order

W. J. Watts

Notary for Petitioner.

OFFICE OF —

I, Gabriel Jimison, Town Chief of Arkansas Town, Creek Nation, No. 21, and as said custodian of the citizenship rolls, of the said town, do solemnly swear that the name *Edmund*

*B. Gady*.....  
is the head of the.... *Gady*..... family in the said town  
together with the names of *Clorisa B. Gady*  
*Edith Gady*.....  
*Mrs. E. Gady*.....

.....  
as children and heirs of the said *Edmund B. Gady*  
are rightfully and properly enrolled on the citizenship rolls of  
the said town as being lawful citizens of the Creek nation by  
blood, the above persons are hereby declared full citizens of  
the Creek or Muscogee nation and shall be subject to the Creek  
laws and shall have all rights and privileges and immunities of  
original members of the Creek tribe.

*This may 10th 1893* *Witness my hand*  
*Gabriel Jimison*  
Town Chief of Arkansas Town, Creek nation.

*Subscribed and sworn to before*  
*me this 17th day of March 1894*  
*J. B. Lindsey*  
*Notary Public*  
*1st Judicial District*



No \_\_\_\_\_

PETITION OF

*Edmund B. Gody*

for and on behalf of

*himself*

and heirs

*Respectfully*

*Garland, W. G. Gody*  
*and W. B. Maus*

Attorney for Petitioner.

*Notary Public*

## APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the ~~Cherokee~~ <sup>Creek</sup> Nation:

GENTLEMEN: The undersigned, your petitioner, *Edmund B. Cody* for and on behalf of *himself*

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of ~~Cherokee~~ <sup>Creek</sup> Indians and of those entitled to share in the distribution of funds and allotments of land in ~~Cherokee~~ <sup>Creek</sup> Nation, by virtue of their ~~Cherokee~~ <sup>Creek</sup> blood, and I herewith submit the

*affidants L. C. Perryman, J. K. Grayson, Gabriel Jameson, N. B. Childers*

in support of said claim, and respectfully await the time when *his* application shall be heard and tried.

Respectfully Submitted,

*Edmund B. Cody*

Enrollment of family, with relationship attached, as follows:

| NAMES.                 | AGE.      | RELATIONSHIP.                       |
|------------------------|-----------|-------------------------------------|
| <i>Edmund B. Cody</i>  | <i>35</i> | <i>Edmund B. Cody a son</i>         |
| <i>Clorist C. Cody</i> | <i>13</i> | <i>of Dudley Cody who</i>           |
| <i>Edith Cody</i>      | <i>7</i>  | <i>was a Creek Indian</i>           |
| <i>Iris E. Cody</i>    | <i>4</i>  | <i>by blood and descent</i>         |
| <i>Douglas L. Cody</i> | <i>2</i>  | <i>During the year 1893</i>         |
|                        |           | <i>Edmund B. Cody and his</i>       |
|                        |           | <i>children were enrolled</i>       |
|                        |           | <i>on the Census Roll of</i>        |
|                        |           | <i>North Kansas Terr. Creek</i>     |
|                        |           | <i>Nation by the Chief</i>          |
|                        |           | <i>of said Terr under</i>           |
|                        |           | <i>an order from the District</i>   |
|                        |           | <i>Judge Wesley Liger.</i>          |
|                        |           | <i>and enjoyed all the rights</i>   |
|                        |           | <i>privileges and immunities</i>    |
|                        |           | <i>of Citizens of the Creek</i>     |
|                        |           | <i>Nation but have since</i>        |
|                        |           | <i>been stricken from the Rolls</i> |

In witness of which I hereunto set my hand on this *2<sup>d</sup>* day of *Sept.* 1896.

*Edmund B. Cody*

Indian Territory  
Northern Judicial Division {ss

Now on this 2<sup>d</sup> day of September 1896  
personally appeared before me W. J. Watts  
a Notary Public within and for said  
Division and Territory Edmund B. Gady  
also being duly sworn upon his oath states  
that the facts set forth in the foregoing applica-  
tion are true

Sworn to and subscribed before me this  
2<sup>d</sup> day of September 1896

W. J. Watts  
Notary Public

No

PETITION OF

Edmund B. Gady

for and on behalf of

himself

and heirs

Receipt

Portland, Or Sept

and W. J. Watts

Attorney for Petitioner.

**End**

1896  
CR 28

1896  
CR 28



Registered Letter Parcel No. 674 Post Office, Oklahoma or  
 Received Sept 8 1896, from  
 A.C. Scott  
 Oklahoma or a Let.  
 addressed The Hon. Principal Chief of the  
 Creek Nation  
 Okmulgee, Ind.  
 J.A. Blaney, P.M., per

This space is reserved on counterpane  
 for particulars connected with dispatch  
 of registered piece.

In Re, the Application of John  
 Ewing for Citizenship in the Creek  
 Nation.

Before the Hon. Commission to the Five  
 Civilized Tribes:

Proof of Service.

Territory of Oklahoma 3  
 Oklahoma County 3

Harold Eby, of lawful age, being  
 duly sworn, says, that on this 8th  
 day of September, 1896, A.C. Scott, in  
 affiant's presence, registered a letter,  
 addressed as follows: "The Hon. Principal  
 Chief (or Governor) of the Creek Nation,  
 Okmulgee, Ind. Ter." containing the  
 following papers: Copies (1) of the  
 application of John Ewing for citizen-

In Re, the Appli-  
cation of John Ew-  
ing for Citizenship

Proof of Service

A. G. Scott, D  
Atty for applicant.

ship in the Creek Nation; (2) affidavit of John H. Williams in support thereof; (3) affidavit of Samuel Thomas in support thereof.

Affiant says that he compared said copies with the original papers in said case, and that they ~~were~~ <sup>are</sup> true copies; and that he saw them enclosed, sealed, addressed and mailed by registered letter, as aforesaid, and that the registry receipt attached thereto is the receipt for said registered letter. Affiant says that he has no interest whatever in the outcome of said application.

*Hester Craig*

Subscribed and sworn to before me this 5th day of Sept, 1896.

*Geo. L. Cooke, Notary Public*  
My com. expires on 9<sup>th</sup> 1899

Before the Honorable  
Commission to the  
Five Civilized Tribes.

Application of John Ewing  
for Citizenship in the Creek  
Nation.

Also,  
Corroborative Affidavits  
of  
John H. Williams and  
Samuel Thomas.

A. L. Scott,  
att'y for Applicant  
Oklahoma City, Okla.

Before the Honorable Commission to the Five Civilized Tribes.

-----oOo-----

In Re, The Application John Ewing for Citizenship in the Creek Nation.

-----oOo-----

Now comes John Ewing of Oklahoma county, Oklahoma Territory, and makes application for citizenship in the Creek Nation, and in support thereof makes the following statements of facts:

The applicant says, that he was born in Wythe County, Virginia, in the year 1837. That his mother was Thursday McIntyre, a half-breed Creek Indian. That her mother was Sarah McIntyre, a full-blood Creek Indian. That his said mother and grand-mother was born in the State of Virginia. That applicant is now living in Oklahoma county, Oklahoma Territory. That he has one son named Joseph Ewing, and that son is married and has the following named children, to-wit:

Pearl, aged about five years; Roderick, aged about four years; Jennie, aged two years; <sup>Sammie</sup>~~Sammie~~ Ella, aged about eight months.

Territory of Oklahoma,

Oklahoma County.

ss.

John Ewing, of lawful age, first being duly sworn, says, that he is the applicant above; that he has heard the foregoing application read, and knows the contents thereof, and that the same is true.

Subscribed and sworn to before me this 3th day of September, 1896.

*My com. exp. 1st Aug. 1899. J. K. Coker, Notary Public*



Before the Honorable Commission to the Five Civilized Tribes.

-----oOo-----

In Re, The Application of John Ewing for Citizenship in the  
Creek Nation.

-----oOo-----

Affidavit of John H. Williams.

-----oOo-----

Territory of Oklahoma,    }  
Oklahoma County.        } ss.

John H. Williams, of lawful age, being duly sworn, deposes and  
says, - that he is well acquainted with the applicant, John Ewing,  
having known him for about thirty years. That he first became ac-  
quainted with in Nashville, Tennessee, about 1866, and with his  
mother, Thursday McIntyre, at the same time. That his said mother  
was a half-breed Creek Indian, and lived and associated with the  
Creek Indians in the vicinity of Nashville. And further affiant  
sayeth not.

John H. Williams

Subscribed and sworn to before me this 8th day of September, 1899.

Geo. F. Cooke Notary Public.

My Com. expires December 9, 1899.

Before the Honorable Commission to the Five Civilized Tribes.

-----oOo-----

In Re, The Application John Ewing for Citizenship in the Creek Nation.

-----oOo-----

Affidavit of Samuel Thomas.

-----oOo-----

Territory of Oklahoma,     )  
Oklahoma County.         ) ss.

Samuel Thomas, of lawful age, being duly sworn, deposes and says-,

That he is well acquainted with the applicant, John Ewing, having known him for over thirty years. That he knew the mother of the said Ewing for about eight or ten years succeeding the year 1860, in and about Nashville, Tennessee. That the said John Ewing was then living with her. That the said mother of the applicant was named Sarah Thursday McIntyre, and that she was a half-breed Creek Indian, and lived and associated with the Creek Indians in the vicinity of Nashville. And further affiant sayeth not.

Witness:

*Guy Blackwelder*     *Samuel Thomas*     *Mark*

Subscribed and sworn to before me this 8th day of September, 1899.

*Geo. F. Cook*     Notary Public.

My com. expires December 9, 1899.

No 4654

Before the Hon Com-  
mission to the Hon  
Civilized Tribes.

Application of John  
Living for Citizenship  
in the Creek  
Nation - ~~Revised~~

Also,

Corroboration of  
facts of -  
John H. Williams  
vs Samuel Thomas.

FILED SEPT. 9 1896

A. S. McKENNON

COM'R

A. C. Scott

att'y for applicant  
Okla. City, O. T.

but close to the mountain, several in the line

and they had gathered the weapons and things

Violence on the mountain  
which happened  
at the station

circumstances in the region

known and the other side of the mountain to the south of the  
mountain the mountain was the mountain in a white  
mountain to the south of the mountain

the mountain to the south of the mountain  
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the mountain to the south of the mountain  
the mountain to the south of the mountain

John Ewing

the mountain to the south of the mountain

FILED OCT 23 1936  
A. S. MCKENNON,  
COM. R.

The Creek, before

the (Village)

John Ewing

before the Creek Commission, before the Creek Commission

Before the Daves Commission, Vinita, Indian Territory.

John Ewing,----- Plaintiff.

VS. ( Answer.

The Creek Nation,-----Defendant.

1 The defendant says that the petitioner's petition does not state facts sufficient if true to show that she is entitled to citizenship in this Nation.

2 That his witnesses and himself all reside in Oklahoma Territory and never lived within the limits of this Nation; neither of his witnesses are native citizens of this Nation and their testimony is based upon hearsay.

3 Wherefore the defendant says that the applicant is a white person and an Alien and upon his own showing is not entitled to citizenship in this Nation.

4. The defendant says this Commission has no lawful jurisdiction over this case  
S.R. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

Bunny McIntosh

says that he believes the matters and things

set forth in the foregoing answer to be true.

Bunny McIntosh

Sworn to and subscribed before me this 22 day of Oct 1896.

Witness my hand and private seal having no official seal  
J. M. Rogers (Deed)

My Comm. Exp. 10-10-1900



**End**

1896  
CR 29

1896  
CR 29

10/10/04  
 Reader for  
 Maria Louise Taylor  
 Green National

تاریخ: ۱۳۸۵

*Wm. M. Cravens.*

*R. P. de Graffenried.*

*Chas. von Weise.*

*Cravens, de Graffenried & von Weise,*  
*Attorneys at Law.*

*Muscogee, Ind. Ter.,*  
March, 4th 1897.

The Hon. Dawes Commission,  
Ft. Smith, Ark.

Gentlemen,— The clerk informed us that he had been notified by the Commission that there was no case on their docket in which Mollie A. Paschal were plaintiffs. This case was docketed by you in the first place with Martha Caroline England et al as plaintiffs. In taking the appeal we placed Mrs. Paschal as the first plaintiff, and presume that this is the reason that you failed to find the case on your docket.

Please look the matter up, and inform the clerk as to the result, and greatly oblige,

Yours very truly,

(Dlc.)

*Cravens & von Weise*

*Mollie a Paschal case*

No. 29

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Martha C. England

VS.

*Greene*  
~~Cherokee~~

Nation.

Received and filed this

day of

189

Secretary.

GRANTOR AND FIRST PARTY

*Received  
for  
Martha C. England*



RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of  
..... vs. .... Nation, as follows:

es

Martha C. England

Witnessed

WITNESS my hand and official seal at

this the

17

day of

March 1891

Washington

No. 29 - page 104 - C

The order in this case was for the case of Mollie Paschel vs. Creek Nation. The Clerk of the court at Muskogee was notified. He wrote Attys. in case, and they replied by saying that the case was filed under the style Martha Caroline England vs. Creek Nation. Papers in the case have been sent up, and I file these two letters in lieu of the order from the Clerk.

H. M. Jacobway, Jr.  
Secy

*filed*  
3/15/27

POOR ORIGINAL -  
BEST AVAILABLE COPY

File of 1897

Ft. Smith, Arkansas, March 5, 1897.

Hon. J. L. Abernathy,  
Purcell, I. T.

Dear Sir:-

In looking through the letter files this morning I find your letter, written to the Commission at Vinita. I desire to beg your pardon for not answering sooner, but by some chance the letter has been overlooked. In looking over our docket I can find no such case as "Charles Reid vs. Choctaw or Chickasaw Nation," and think probably you have made a mistake in styling the case in the same manner that it was originally filed before the Commission. If you have my notice, it may give the number of the case, and if so, state the number, and I will have no trouble in finding the papers.

Please look this matter up, and I will be glad to render you any assistance I can.

Very Respectfully,

H. M. Jacaway, Jr.,  
Secretary.

No. 20 - 1897  
H. M. Jacaway, Jr. is a list of cases which  
we have on file. I have not yet seen  
Charles Reid vs. Choctaw or Chickasaw Nation  
Albert H. Jacaway vs. Choctaw or Chickasaw Nation  
H. M. Jacaway vs. Choctaw or Chickasaw Nation  
will be found in the file of 1897  
I am most at  
Very Respectfully,  
H. M. Jacaway, Jr.  
Secretary.

**End**

1896  
CR 30

1896  
CR 30



No. 30

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Wm. Esco Et al

VS.

Green.

Nation.

Received and filed this

day of

189

Secretary.

SEVATOR JOB PRINT FORT SMITH

..... vs. .... Nation, as follows:

WITNESS my hand and official seal at Muscogee  
this the 29<sup>th</sup> day of January 1897  
Jas. P. Winston  
Clerk.

M 30

Mary Escor<sup>do</sup>

vs.

Crest Station

Order of Appeal

No. 266

## NOTICE.

Your No. 30

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

ss.

In the United States Court for said District.

In the matter of the application of **Mary Escoe** to be

enrolled as citizens of the **Creek** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**Mary Escoe**

to be enrolled as citizens of the **Creek** Nation, from said

**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **21st** day of  
**Jan. 1897.** A. D. 189

*James H. Springer* Clerk.

**End**



1896  
CR 31

1896  
CR 31

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine claims for Citizenship in the Creek Nation:

GENTLEMEN: The undersigned, your petitioner, for and on behalf of and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Creek Indians and of those entitled to share in the distribution of funds and allotments of land in Creek Nation, by virtue of their Creek blood and I herewith submit the

in support of said claim, and respectfully await the time when application shall be heard and tried.

Respectfully submitted

William Terrell

Enrollment of family as hereinafter attached, as follows:

| NAMES           | AGE | RELATIONSHIP                                   |
|-----------------|-----|--|
| Thomas Terrell  | 74  | Son of James Terrell a full blood Creek Indian |
| William Terrell |     | Daughter of Wm. Terrell                        |
| John Terrell    |     | Son of " "                                     |
| John Terrell    | 30  | " " " "  |
| John Terrell    | 30  | " " " "  |

In witness of which I hereunto set my hand on this 9th day of Sept. 1896.

William Terrell

| NAMES          | AGE | RELATIONSHIP             |
|----------------|-----|--------------------------|
| Emily Cotton   | 47  | Daughter of Wm. Terrell  |
| Flora Cotton   | 26  | Daughter of Emily Cotton |
| Sallie Moore   | 25  | " " " "                  |
| William Cotton | 21  |                          |
| Martin Cotton  | 17  |                          |
| Harriet Cotton | 15  |                          |
| Charles Cotton | 13  |                          |
| Belle Cotton   | 11  |                          |

In witness of which I hereunto set my hand on this 8th day of Sept. 1896.

William Terrell

| NAMES          | AGE | RELATIONSHIP       |
|----------------|-----|--------------------|
| James Terrell  | 34  | Son of Wm. Terrell |
| Arthur "       | 14  | Son of James       |
| Ida Leathem    | 17  |                    |
| Bessie Terrell | 15  |                    |
| John "         | 8   |                    |

FRAME 1

In witness of which I hereunto set my hand on this 9th day of Sept. 1896.

William Terrell

# APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine claims for Citizenship in the Creek Nation:

GENTLEMEN: The undersigned, your petitioner,

for and on behalf of

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Creek Indians and of those entitled to share in the distribution of funds and allotments of land in Creek Nation, by virtue of their Creek blood and I herewith submit the

in support of said claim, and respectfully await the time when application shall be heard and tried.

Respectfully submitted

*William Terrell*

Enrollment claim is supported by the following attached, as follows:

| NAMES.                 | AGE.      | RELATIONSHIP.               |
|------------------------|-----------|-----------------------------|
| <i>William Terrell</i> | <i>74</i> | <i>Son of James Terrell</i> |
| <i>James Terrell</i>   | <i>74</i> | <i>son of James Terrell</i> |
| <i>James Terrell</i>   | <i>74</i> | <i>son of James Terrell</i> |
| <i>James Terrell</i>   | <i>74</i> | <i>son of James Terrell</i> |
| <i>James Terrell</i>   | <i>74</i> | <i>son of James Terrell</i> |

In witness of which I hereunto set my hand on this

| NAMES.                | AGE.      | RELATIONSHIP.                   |
|-----------------------|-----------|---------------------------------|
| <i>Emily Cotton</i>   | <i>47</i> | <i>Daughter of Wm. Cotton</i>   |
| <i>William Cotton</i> | <i>26</i> | <i>Daughter of Emily Cotton</i> |
| <i>Sister Moore</i>   | <i>23</i> | <i>" " " "</i>                  |
| <i>William Cotton</i> | <i>21</i> | <i>" " " "</i>                  |
| <i>William Cotton</i> | <i>17</i> | <i>" " " "</i>                  |
| <i>William Cotton</i> | <i>15</i> | <i>" " " "</i>                  |
| <i>William Cotton</i> | <i>11</i> | <i>" " " "</i>                  |

In witness of which I hereunto set my hand on this

*8<sup>th</sup>*

day of *Sept.* 1896.

*William Terrell*

| NAMES.               | AGE.      | RELATIONSHIP.               |
|----------------------|-----------|-----------------------------|
| <i>James Terrell</i> | <i>19</i> | <i>Son of James Terrell</i> |
| <i>James Terrell</i> | <i>19</i> | <i>Son of James Terrell</i> |
| <i>James Terrell</i> | <i>17</i> | <i>Son of James Terrell</i> |
| <i>James Terrell</i> | <i>15</i> | <i>Son of James Terrell</i> |
| <i>James Terrell</i> | <i>8</i>  | <i>Son of James Terrell</i> |

FRAME 1

In witness of which I hereunto set my hand on this

*9<sup>th</sup>*

day of *Sept.* 1896.

*William Terrell*

NAMES. AGE. RELATIONSHIP.

William Ferrell

In witness of which I hereunto set my hand on this       day of       1896.

William Turrell

[illegible]

In witness whereof, I have hereunto set my hand on this \_\_\_\_\_ day of \_\_\_\_\_ 1896.

1. General Design

In witness of which I hereunto set my hand on this 7<sup>th</sup> day of July, 1896.

William Ferrell

| NAMES.                     |            | AGE. | RELATIONSHIP. |
|----------------------------|------------|------|---------------|
| great<br>grand<br>children | Grandchild |      |               |
|                            |            | 2    | "             |

FRAME 2

FRAME 2

In witness of which I hereunto set my hand on this \_\_\_\_\_ day of \_\_\_\_\_ 1800.

William Terrell

|                      | NAMES.         | AGE. | RELATIONSHIP. |
|----------------------|----------------|------|---------------|
| Great grand children | Flora Collins  | 7    |               |
|                      | Lucie " "      | 8    |               |
|                      | David          |      |               |
|                      | John Collins   | 5    |               |
|                      | Mattie Collins | 4    |               |
|                      | Collins        | 2    |               |
|                      | Collins        | 1    |               |



In witness of which I hereunto set my hand on this 1 day of 1896.

William Terrell

| NAMES. | AGE. | RELATIONSHIP. |
|--------|------|---------------|
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|        |      |               |
|        |      |               |

In witness of which I hereunto set my hand on this 1 day of 1896.

William Terrell

| NAMES.     | AGE. | RELATIONSHIP. |
|------------|------|---------------|
| Grandchild |      |               |
|            |      |               |
|            |      |               |

great  
grand  
children

In witness of which I hereunto set my hand on this day of 1896.

William Terrell

| NAMES.      | AGE. | RELATIONSHIP. |
|-------------|------|---------------|
| Grand child |      |               |
|             |      |               |
|             |      |               |
|             |      |               |
|             |      |               |
|             |      |               |

Great grand children

In witness of which I hereunto set my hand on this 4 day of Sept. 1896.

William Terrell

Subscribed and sworn to before me  
on this the 4th day of Sept., 1896 -  
J. D. Freeman,  
Notary Public

FRAME 3



6717  
H. M. ~~Terrell~~  
Terrell  
Creek Nation

Py. 124

William Terrell

J. E. Freeman

[illegible]

My 200-133100-3841200 Nov, 8<sup>th</sup> 1899.



Before the Dawes Commission, Vinita, Indian Territory.

William Terrell,----- Plaintiff.

vs. ( Answer.

The Creek Nation,----- Defendant.

The defendant says:

1. That the facts set forth in plaintiffs application are not sufficient if true to entitle him to citizenship in this Nation

2. That the petition and affidavits of the applicant show that he was born in the State of Alabama, is sixty eight years of age and has resided ever since he was sixteen years of age in the State of Arkansas and has never been in the limits of this Nation.

3. That the witnesses whose affidavits he has filed in support of his claim are citizens of the State of Arkansas and are not competent under the laws of the Creek Nation to prove his right by blood, wherefore the defendant denies that the applicant is a Creek Indian and is an Alien and not entitled to citizenship in this Nation.

S. F. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Plaintiff's answer* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 22 day of Oct. 1896.

*Witness my hand and seal at Vinita, Indian Territory, this 22nd day of October, 1896.*  
*Wm. H. Rogers*  
*W. H.*

FILED SEPT. 9 1896. ★

→A. S. MCKENNON←

→COM'R←

*By order*

*Wm. B. King*



*affidavit  
of W. L. King*

*W. L. King*



FILED SEPT 9 1896  
A. S. MCKENNON  
U.S. MARSHAL

1890

I have examined  
the body of the  
said child and do  
not believe that  
it is the son of William Small  
and the wife of Belinda  
Small. Blood  
examined  
on the 7<sup>th</sup> day of Sept  
1890. A. J. King

Subscribed and sworn  
before me this 10<sup>th</sup>  
day of Sept 1890-  
Jas. H. Brown, J.

W. H. C. C. C.  
W. H. C. C. C.  
W. H. C. C. C.

Filed  
State of Arkansas  
County of \_\_\_\_\_  
J. Wm M. McGraw  
do solemnly swear  
that I am the William  
McGraw and that I am  
born in the year 1811  
McGraw - My Mother that  
the name of the McGraw  
family is the name of  
James McGraw and that  
he died in the year 1811  
and that I am the son of  
James McGraw and that I  
am the son of James McGraw  
and that I am the son of James McGraw

Wm M. McGraw  
Subscribed and sworn to  
before me this 1st  
day of Sept 1880  
Jas H. Brown

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Gibbs & Parker,

( 24 )



REGISTRY RECEIPT.

Post Office at

Registered Letter

No.

Rec'd.

189

of

addressed

*Sept 9th*

*Gibbs and Parker*

*Wagoner D.T.*

*Principal Chief Creek Nation*

*Oklmulgee D.T.*

*Harry J. Bettes acting P.M.*

I, Frank Mead, do solemnly swear that  
on 9th day of Sept. 1876 I saw a package  
registered at the Postoffice at Niagara, addressed  
to Prince, on receipt of which I saw a receipt, No. 17,  
mentioning the contents of the package, as  
a receipt for the same, which contained  
two copies of the application of William  
Farrell and the affidavits of A. D. King  
and Mr. R. H. [unclear] in support of same.  
Frank Mead -

Subscribed and sworn to before me  
on this 9th day of Sept. 1876 -

J. J. [unclear]

Notary Public -

To the Honorable Henry L. Dawes and Others Composing the Commission to the Five Civilized Tribes;

YOUR Petitioner \_\_\_\_\_ would state  
and show from the proof submitted to the Commission that he is a Creek \_\_\_\_\_  
\_\_\_\_\_ having been born in \_\_\_\_\_ County, State of \_\_\_\_\_  
on \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_. My father's name was \_\_\_\_\_  
\_\_\_\_\_ My mother's name was \_\_\_\_\_  
That I now reside in \_\_\_\_\_  
and have resided there for \_\_\_\_\_ years. And he avers these facts can be established by  
proof to the satisfaction of the Commission under such rules and regulations as it may prescribe.  
And he further avers that those facts being proven he is entitled to be adjudged under the laws  
of such Nation and the laws of Congress of the United States and the treaties of such Nation with  
the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship  
in such Nation. Wherefore he herewith respectfully submit to the consideration of the honorable  
commission such proof and on the hearing he be adjudged entitled to such citizenship and  
his name be placed upon the proper roll as a citizen of such Nation.

Signature *William H. Hill*



INDIAN TERRITORY.

Judicial Division.

SS

NOW on this \_\_\_\_\_ day of \_\_\_\_\_ 1896  
personally appeared before me *J. D. Freeman*  
\_\_\_\_\_ a Notary Public in and for said Territory  
\_\_\_\_\_ who being  
duly sworn upon his oath states that the facts set forth in the foregoing  
petition are correct and true. Subscribed and sworn to before  
me this \_\_\_\_\_ day of \_\_\_\_\_ 1896.

*J. D. Freeman*  
Notary Public.

**End**

1896  
CR 32

1896  
CR 32



and the Commission has been asked to report on the progress of the work done by the Commission since its establishment in 1947. The Commission has been asked to report on the progress of the work done by the Commission since its establishment in 1947. The Commission has been asked to report on the progress of the work done by the Commission since its establishment in 1947.

SECRET  
AS-SECRET  
CONFIDENTIAL

CONFIDENTIAL

Before the Dawes Commission, Vinita, Indian Territory.

No. 1. Mary Jane Morton, 1 person, :  
: :  
No. 2. Polly Ann Cabe, :  
and children,-----5 persons.:  
: :  
No. 3. Louise Jane Fortner, :-----Plaintiffs.  
and children,-----7 persons, :  
: :  
No. 4. Margaret A. Sanders, :  
and 3 children,----4 persons.:  
: :  
VS. ( Answer.

The Creek Nation,-----Defendant.

Four Cases.

Comes the defendant and says: That the above four cases all depend upon the same evidence and one answer will apply to all.

The defendant says: That the facts stated in the several applications of the petitioners, if true, do not entitle them to citizenship in this Nation.

2. The defendant says: That it appears from the statements of petition of the applicants that they were all born and raised in the State of Georgia where they now reside and have never been within the jurisdictional limits of the Creek Nation and have never made application heretofore on account of blood, and they have not proven their blood by native disinterested witnesses, all of those whose affidavits are filed in support of their applications are non-residents and non-citizens, wherefore the defendant says the said applicants are not Indians and are Aliens and are not entitled to citizenship in this Nation or any of the privileges thereof.

S. R. Callahan,  
Harry McIntosh,  
Attorneys for defendant.

*Burnie M. Indick* says that he believes the matters and things set forth in the foregoing answer to be true.

Sworn to and subscribed before me this 22 day of Oct 1896.  
*John W. Rogers (Seal)*

No. 12055-

Court.

Term, 189

Fortner, Gabe et al

vs.

~~The Cherokee Nation~~  
The Creek Tribe

ORIGINAL

Kept

Filed in Clerk's office

7 Sept

1896

H M Drowny Clerk.

J. W. HARRIS, Jr.,  
CARTERSVILLE, GA.

Attorney for

United States of America,  
Indian Territory,  
Northern District.

I, Henry Clay Barritt, of Vinita, Ind. Ter., do solemnly swear that on the 7<sup>th</sup> day of September, 1896, I saw a package registered at the postoffice at Vinita, Ind. Ter., addressed to <sup>under the name of</sup> ~~S. H. Mayer~~ <sup>acting</sup> Principal Chief of the <sup>Cherokee</sup> Cherokee Nation, <sup>Tablequah</sup> Tablequah, Ind. Ter., and that registry receipt No. <sup>22</sup>, received from postmaster and hereto attached is a receipt for said package, which contained true copies of the application of <sup>Doisey Jim Farmer et al under</sup> ~~Doisey Jim Farmer et al~~

and

and of the affidavits of <sup>at various times</sup> ~~at various times~~

in support of same.

Subscribed and sworn to before me on this 7<sup>th</sup> day of September, 1896.

*My Commission Expires  
March 6<sup>th</sup> 1896*

*H. C. Barritt*  
*Doisey Jim Farmer et al*

REGISTRY RECEIPT.

Post Office at

Registered Letter  
Parcel

No. 336

Rec'd

Sept 7, 1896

of

*Doisey Jim Farmer et al*

addressed to

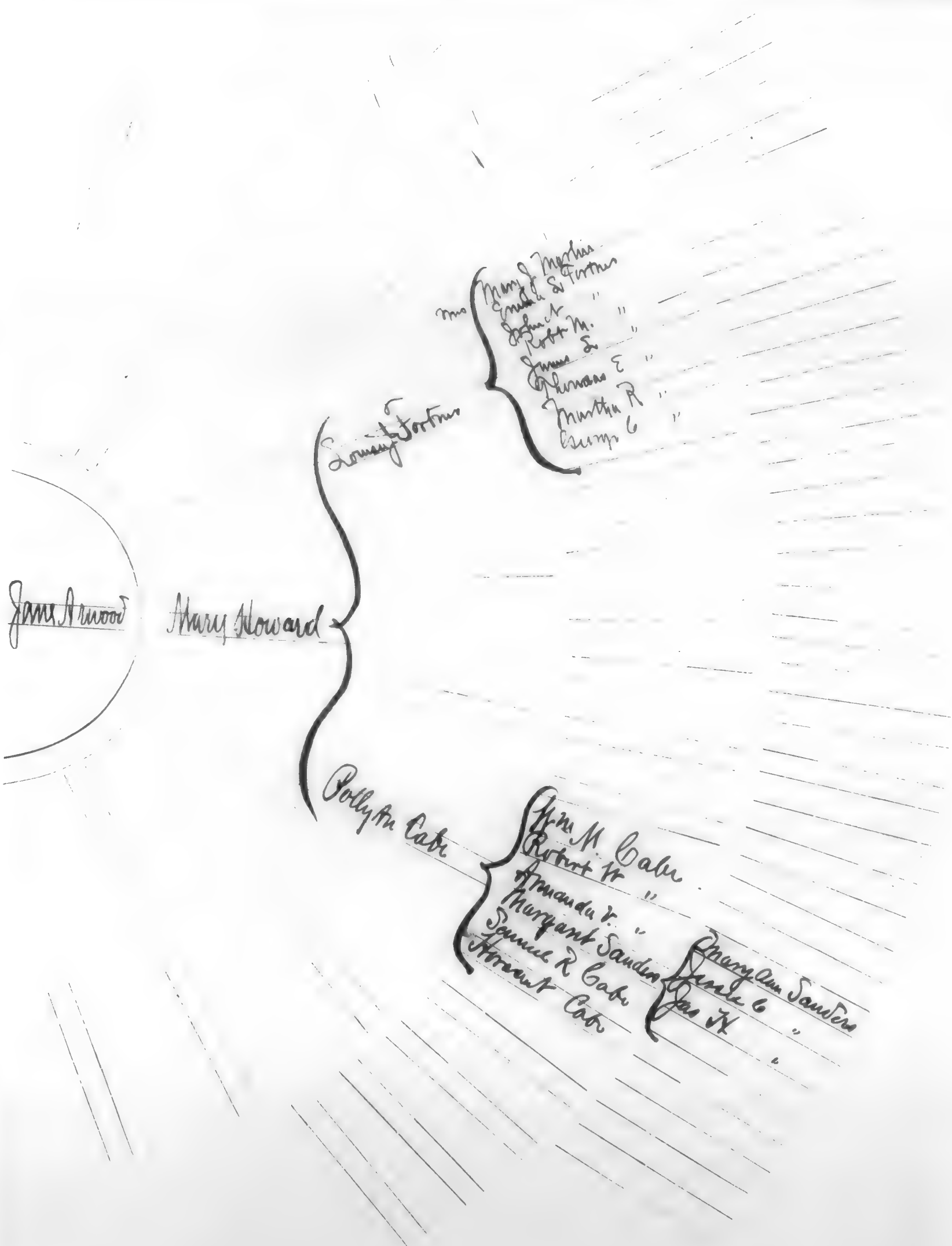
*Doisey Jim Farmer et al*

*Okmulgee Ind*

*Doisey Jim Farmer et al* P. M.

# CHART

Showig Names of Applicants and Their Cherokee Lineage to the Common Ancestor Whose Blood is Incontestible.





# APPLICATION FOR CITIZENSHIP.

TO THE HONORABLE HENRY L. DAWLS, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CAHANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 1, 1890, to hear and determine Claims for Citizenship in the Cherokee Nation.

The undersigned *Wm. W. Montgomerie* makes this application for admission to Citizenship in the *Cherokee* Nation in the Indian Territory, as a *Cherokee* Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That *she* is the *daughter of Wm. W. Montgomerie* of one *Wm. W. Montgomerie* and the *grand daughter* of one *Wm. W. Montgomerie* and the *son* of one *Wm. W. Montgomerie* who your petitioner firmly believes was *Cherokee* Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and a member of the Cherokee Nation entitled to citizenship in the Cherokee Nation.

That the names of said *Wm. W. Montgomerie* and *Wm. W. Montgomerie* appear on the census rolls on the Cherokee East of the Mississippi river.

Your petitioner's *Wm. W. Montgomerie* postoffice address is *Montgomerie, Cal. 1800* and *she* family by virtue of Cherokee Indian blood is as follows:

| NAMES                        | AGE       | RELATIONSHIP.             |
|------------------------------|-----------|---------------------------|
| <i>Wm. W. Montgomerie</i>    | <i>21</i> | <i>dependent daughter</i> |
| <i>Wm. W. Montgomerie</i>    | <i>17</i> | <i>son</i>                |
| <i>Robert W. Montgomerie</i> | <i>16</i> | <i>son</i>                |
| <i>Wm. W. Montgomerie</i>    | <i>14</i> | <i>son</i>                |
| <i>Wm. W. Montgomerie</i>    | <i>7</i>  | <i>son</i>                |
| <i>Wm. W. Montgomerie</i>    | <i>7</i>  | <i>daughter</i>           |
| <i>Wm. W. Montgomerie</i>    | <i>6</i>  | <i>son</i>                |

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

*Wm. W. Montgomerie*  
By J. W. HARRIS, JR., Attorney.

STATE OF *Georgia*, COUNTY OF *Leadb*

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

Sworn to and subscribed before me this August *29th*, 1800, and I hereby certify that petitioner is known to me as the identical person represented in *her* petition and is a person of good character and worthy of credit.

*Wm. W. Montgomerie, Jr.*

State of *Illinois*, County of *Wabash*

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared *Charles West* who after being duly sworn by me, states that *she* is *25* years old, and is a citizen of *Wabash County* and that *she* is personally acquainted with *Louisa Jane Porter* who is an applicant for citizenship in the *Creek* Nation, I. T., and that the said *Louisa Jane Porter* is the identical person *she* represents *herself* to be in *her* application for such citizenship.

*That from reputation in her family and the statement of her grandfather and applicant was the daughter of James West, second of the same daughter of Mrs. Jane Howard formerly the wife of James West, and that said James Howard is the person mentioned in the accompanying affidavit of James West as the father of said Louisa Jane Porter.*

Affiant further states that *she* has known the said *Louisa Jane Porter* for the past *25* years and knows that *she* has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said *Louisa Jane Porter* indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew her longest, affiant has every reason to believe and does believe that the said *Louisa Jane Porter* is of genuine Indian blood. Affiant also swears that *she* has no interest in the prosecution of the claim of the said *Louisa Jane Porter* to citizenship in the *Creek* Nation, I. T.

*J. J. West*

Sworn to and subscribed before me this the *29th* day of *August* 1896, and I further certify that I am well acquainted with affiant and know *him* to be of good character and well worthy of credit.

*W. R. Montgomery*

State of *Oregon*, County of *Clatsop*

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared *Samuel H. Baker* who after being duly sworn by me, states that *he* is *60* years old, and is a citizen of *Clatsop County*

and that *he* is personally acquainted with *Mrs. Luisa* who is an applicant for citizenship in the *Clatsop* Nation, I. T. and that the said *Luisa Jane Parker* is the identical person *she* represents *herself* to be in *her* application for such citizenship.

*That he knows said applicant to be the daughter of J. H. Baker and is a well known family name. The applicant daughter of Mrs. Jane Baker. He knows said Baker and also is the identical person mentioned in the affidavits of J. H. Baker and Mrs. J. H. Baker accompanying the application of the said Luisa Jane Parker to the Clatsop Nation, I. T. that said Luisa Jane Parker is a person of full credit.*

Affiant further states that *he* has known the said *Luisa Jane Parker* for the past *10* years and knows that *she* has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said *Luisa Jane Parker* indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said *Luisa Jane Parker* is of genuine Indian blood. Affiant also swears that *he* has no interest in the prosecution of the claim of the said *Luisa Jane Parker* to citizenship in the *Clatsop* Nation, I. T.

Sworn to and subscribed before me this the *29th* day of *August*, 1896, and I further certify that I am well acquainted with affiant and know *him* to be of good character and well worthy of credit.

✓ *W. R. Montgomery Jr*

Appendix of  
Cecil Taylor



Exhibit of witness

State of Georgia

County of Dickens, 355

Before me the undersigned, a notary public in and for  
the County of Dickens, in the State of Georgia, personally appeared  
David Taylor who being duly sworn  
states, that he is 40 years of age, and a  
citizen of Dickens, Georgia, and  
State of Georgia, and that he is personally  
acquainted with a negro Jane Fortner.

Who is a free person, or citizenship, in the  
United States, and affirms  
further states that the said Jane Fortner  
is the identical person she represents  
himself to be in her application for  
citizenship in said nation and that the said  
Jane Fortner is of the pure Indian  
blood, and the grand daughter of  
James Fortner, who I know, to be a half  
blood, but Indian, and who resided  
many years in the Lincoln County N. C. & I  
know, that the said Jane Fortner was  
always held, & recognized by her neighbors, acquainted,  
I be an Indian of pure blood, & I know that the  
mother of this Jane Fortner, came from the pure Indian tribe  
affiliated from the state, that he has known  
the said Jane Fortner  
for the past forty five years, and knows  
that she is the said, has been recognized  
as such, by his neighbors, acquaintances



and further generally as a person having  
pure Indian blood, and that the count  
of the physical appearance of the said Panga  
Loring indicates that the said  
Panga Loring is of Indian blood.  
That from the above facts and circumstances  
and from statements made to me  
by the said Panga Loring mother  
affiant states he has every  
reason to believe & does believe, that the said  
Panga Loring is of pure Indian  
blood.

Further, affiant states, he has no  
interest in the retention of the claim, whether  
of the said Panga Loring  
or citizenship in the question  
of and he has no claim to present  
to him self.

Subscribed

me this July 31 1898

I certify that I am well acquainted

David Taylor

and know him to be

a person of credibility, & with respect

August Clerk

David Taylor

Sketch of  
Mount Cayce

May 1895

Before me, the undersigned, J. F. Irving  
Ordinary of said County, Daniel Bayler  
who after being duly sworn by me  
deposes that he is 18 years old, &  
a citizen of said County of Murray  
and State of Georgia and he is  
personally acquainted with Mrs Louise  
Jame, Fortson who is an applican-  
tess for citizenship in the United States,  
and affirms under oath that the said  
Louisa Jame Fortson is the identical person  
she represents herself to be in this her  
application for citizenship in the said  
United States and that the said  
Louisa Jame Fortson is of Creek Indian  
blood and a Grand Daughter of Jane  
Arwood who he knows to be a half  
blood Creek Indian and who resid-  
ed many years in Indian Territory  
North Carolina and he knows that the said  
Jane Arwood was always held to be  
an Indian of Creek blood and  
knows that the mother of this Ja-  
Arwood came from the Creek Indian  
tribe. Affiant further states that he  
has known the said Louisa Jame  
Fortson forty five (45) years and knows  
that she has been recognized & treated

by her appearance, as shown  
and further generally, as shown  
having but Indian blood, that  
from the the complexion, physical  
appearance in said Louisa Jane Foster  
indicating that she is of Indian  
blood. That from the above facts  
and circumstances & from the statements  
made to me by applicants nothing  
appears to me to have every reason  
to believe and does believe that the said  
Louisa Jane Foster is of part Indian  
blood. I am sure that  
I do in the prosecution  
of said claim of the said Louisa  
Jane Foster citizenship in the  
said territory & has no claim  
of citizenship in said  
territory. D.C. Gayles

Witness my hand and

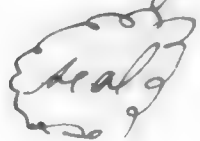
Seal on this 19th day of 1893.

And further certify that are well

acquainted with the said Louisa Jane Foster  
and know him to be a person of  
sound mind & of legal age.

J. F. Coby

Ordinary of Murray County Ga





## APPLICATION FOR CITIZENSHIP.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON,  
THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners  
authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the  
Cherokee Nation :

The undersigned Wm. McIntosh makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That she is the daughter of one Mr. Louis Sam Howard and the grand daughter of one Mr. Mary Howard and the great grand daughter of one Ben. Rife who your petitioner firmly believes was born Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived his Indian blood entitling her to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls ~~of the State~~ East of the Mississippi river.

Your petitioner is 14 years of age, his postoffice address is Samuel W. McCord, Jr.  
and her family by virtue of Cherokee Indian blood is as follows:

[illegible]

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

By J. W. HARRIS, JR., Attorney.

STATE OF Georgia, COUNTY OF County of Cobb

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

Sworn to and subscribed before me this August 29, 1896, and I hereby certify that petitioner is known to me as the identical person represented in said petition and is a person of good character and worthy of credit.

W. K. Hartigan, Jr.



State of *Illinois*, County of *Will*

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Walter E. Eddleman who after being duly sworn by me, states that he is 34 years old, and is a citizen of Robb

and that Mr. Henry James Martin is personally acquainted with Miss Mary Anne  
who is an applicant for citizenship in the Creek  
Nation, I. T., and that the said Mr. Henry James Martin is the identical  
person John represents Mr. Henry James Martin to be in his application for such citizenship.

That said applicant is the daughter of  
Mrs. Luisa Ann Carter formerly - <sup>is</sup> ~~was~~ <sup>born</sup> ~~born~~  
Howard and the said daughter of said James  
and Howard are the said ~~said~~ <sup>same</sup> daughter  
of Mrs. Howard and formerly - Jane Howard  
the identical Jane Howard mentioned in  
the affidavits of Samuel Taylor and David  
Taylor respecting the application of  
Mrs. Louisa Ann Carter.

Affiant further states that he has known the said Mary Anne Martin for the past 17 years and knows that she has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said Mary Anne Martin indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said Mary Anne Martin is of genuine Indian blood. Affiant also swears that he has no interest in the prosecution of the claim of the said Mary Anne to citizenship in the Black Nation, I. T.

Sworn to and subscribed before me this the 27th day of Aug 1896,  
and I further certify that I am well acquainted with affiant and know him to be of good  
character and well worthy of credit.

MR Mountgairn, &c

8.  
The 1st of the 11th

State of *Oregon*, County of *Jeff*

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Samuel Gibson who after being duly sworn by me, states that he is 40 years old, and is a citizen of Colt County

and that he is personally acquainted with Mrs. Mary Anne  
who is an applicant for citizenship in the State of  
Nation, I. T., and that the said Mary Anne Martin is the identical  
person who represents himself to be in the application for such citizenship.

[illegible]

Affiant further states that he has known the said Mary Anne Martin for the past 10 1/2 years and knows that she has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said Mary Anne Martin indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said Mary Anne Martin is of genuine Indian blood. Affiant also swears that he has no interest in the prosecution of the claim of the said Mrs Mary Anne Martin to citizenship in the Choctaw Nation, I. T.

Nation, I. T.  
Samuel Washington Nation

Sworn to and subscribed before me this the 29<sup>th</sup> day of August 1896,  
and I further certify that I am well acquainted with affiant and know him to be of good  
character and well worthy of credit.

W R Huntington Jr

# APPLICATION FOR CITIZENSHIP.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. MCKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned Polly Ann Cabe makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That she is the daughter of one Mary Young and her grand daughter of one John Young and the daughter of one John who your petitioner firmly believes was Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived her Indian blood entitling her to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls East of the Mississippi river.

Your petitioner is 23 years of age, her postoffice address is Marionetta, Ark. Co., Ga. and her family by virtue of Cherokee Indian blood is as follows:

| NAMES                 | AGE       | RELATIONSHIP.      |
|-----------------------|-----------|--------------------|
| <u>Polly Ann Cabe</u> | <u>23</u> | <u>Daughter</u>    |
| <u>John Young</u>     | <u>18</u> | <u>Grandfather</u> |
| <u>Mary Young</u>     | <u>17</u> | <u>Grandmother</u> |
| <u>John Young</u>     | <u>16</u> | <u>Grandfather</u> |
| <u>William Miller</u> | <u>1</u>  | <u>Grandson</u>    |

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

Polly Ann Cabe  
By J. W. HARRIS, JR., Attorney.

STATE OF Georgia, COUNTY OF Coahatchee

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

Sworn to and subscribed before me this August 29th, 1896, and I hereby certify that petitioner is known to me as the identical person represented in her petition and is a person of good character and worthy of credit.

John D. White, Notary Public  
Coahatchee, Ga.

Handbook of  
Wm. Taylor.



affidavit of witness

State of Georgia.

Wenway County S.S.

Before me, the undersigned J. J. Orley  
Ordinary of said County, personally  
appeared, Samuel Gayles. Who after  
being duly sworn by me, states that he is  
80 years of age and a citizen of  
County & State of Georgia, and that he  
is personally acquainted with, Mrs  
Polly Ann Cobb. She is an applicant  
for citizenship in the nation D. T.  
and affiant further states that the said  
Polly Ann Cobb is the identical person  
she represents herself to be, in said applica-  
tion for citizenship in said nation,  
and that the said Polly Ann Cobb is of  
Pure Indian blood and a grand  
daughter of Jane Arwood, who I know  
to be a full blood, Pure Indian,  
& who I know resided many years  
in Union County, N. C. and I know  
that the said Jane Arwood, was always  
held to be an Indian of Pure blood  
& I know that the mother of this  
Arwood, came from the Pure Indian  
Tribe. Affiant further states that he has  
known the said Polly Ann Cobb about  
forty eight years, & know that she has  
been recognized by her neighbors.

acquaintances and the public generally  
as the basis of proving such Indian  
blood descent. The complexion  
physical features the said Polly Ann  
Cape indicates that she is of Indian  
blood. Her from the above facts  
and circumstances and from the statement  
subscribed to me by her mother, Affiant  
states he has long known and does  
believe that the said Polly Ann, Cape  
is of such blood. Affiant  
further states that he has no interest  
in the prosecution of the above  
claim - nor does he have any claim of  
his own to citizenship in said  
State. I subscribed D. C. Caylor  
before me on July 19 - 1875

I & my wife, that I  
am well acquainted with  
the said David Caylor and know him  
to be a person of fidelity & of truthfulness  
J. J. O'Key  
Ordinary of Murray County Ga

Exhib

State of Georgia Pickens County  
Before me the under signed  
<sup>clerk</sup> Ordinary of said County David Caylor  
who being duly sworn by me deposes  
and says that he is years old and  
a citizen of said County & State and that  
he is personally acquainted with Polly  
an Cabe who is an applicant for  
Citizenship in the Creek Nation I.D. and  
affiant further states that the said Polly  
ann Cabe is the identical person she represents  
her self to be in this her application  
for Citizenship in the said Creek Nation  
I.D. & that the said Polly ann Cabe is  
of Creek Indian blood and a Grand  
daughter of Jane Aswood who I know  
to be a half blood Creek Indian and  
who resided many years in Lincoln, N.C.  
& I know that the said Jane Aswood  
was always held to be an Creek Indian  
of Creek blood & I know that her Mother  
Jane Aswood came from the Creek  
Indian Tribe affiant further states that  
he has known the said Polly an Cabe  
48 years and know that she has been  
recognized & soled by her neighbors & acquaintances  
and the public generally having Creek Indian  
blood who from the complexion phy-  
sical appearance the said Polly an Cabe  
indicates that she is of Indian blood  
that from the above facts and circum-  
stances and from the statement made

me by applicant - Mother affiant -  
states he has reasons to believe and does  
believe that the said Polly an Cate is  
of Creek Indian blood affiant further  
states that he has no interest in the  
prosecution of said claim for citizen-  
ship in the Creek Nation & I. & has no  
claim of his own to present  
sworn to and subscribed

sworn to and subscribed he swore me  
this 10th day of 1853

John Taylor

John Taylor



1

to  
Bally and Kate



State of *Kentucky*, County of *Cobb*

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared *Mr. Henry Jones* who after being duly sworn by me, states that *he* is *47* years old, and is a citizen of *Cobb County* and that *he* is personally acquainted with *Polly Ann Gale* who is an applicant for citizenship in the *United States* Nation, I. T., and that the said *Polly Ann Gale* is the identical person, *she* represents *to* her application for such citizenship. *Affiant states that he has lived in the immediate neighborhood of said applicant about eighteen years and knows her to be a woman of good character and worthy of full credit*

Affiant further states that *he* has known the said *Polly Ann Gale* for the past *15* years and knows that *she* has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said *Polly Ann Gale* indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said *Polly Ann Gale* is of genuine Indian blood. Affiant also swears that *he* has no interest in the prosecution of the claim of the said *Polly Ann Gale* to citizenship in the *Creek* Nation, I. T. *further than as an attorney so merely preparing her application*

Sworn to and subscribed before me this the *29th* day of *August* 1896, and I further certify that I am well acquainted with affiant and know *him* to be of good character and well worthy of credit.

*John D. White*  
Notary Public *Miss. Co. Ga.*

# APPLICATION FOR CITIZENSHIP.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned *W. W. Harris, Jr.* makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That *she* is the *legitimate daughter* of one *John W. Harris* and the *only daughter* of one *John W. Harris* who your petitioner firmly believes was *Cherokee* Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians, and from whom petitioner derived *her* Indian blood entitling *her* to citizenship in the Cherokee Nation.

That the names of said ancestors could be found to appear on the census rolls on the Cherokee East of the Mississippi river.

Your petitioner is *1* years of age, her postoffice address is *Maricopa, Co. A. T.* and *her* family by virtue of Cherokee Indian blood is as follows:

| NAMES.                   | AGE          | RELATIONSHIP.   |
|--------------------------|--------------|-----------------|
| <i>W. W. Harris, Jr.</i> | <i>1 yr</i>  | <i>daughter</i> |
| <i>John W. Harris</i>    | <i>2</i>     | <i>" "</i>      |
| <i>James W. Harris</i>   | <i>5 yrs</i> | <i>son</i>      |

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

*W. W. Harris, Jr.*  
By J. W. HARRIS, JR., Attorney.

STATE OF *Georgia*, COUNTY OF *Leff*

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

Sworn to and subscribed before me this August *29th*, 1896, and I hereby certify that petitioner is known to me as the identical person represented in *her* petition and is a person of good character and worthy of credit.

*John D. White*  
Notary Pub. *Cherokee Co. Ga.*

State of *Georgia*, County of *DeKalb*

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared *Marion Smith Hortner* who after being duly sworn by me, states that *he* is *31* years old, and is a citizen of *DeKalb County Ga* and that *he* is personally acquainted with *Margaret A. Sanders* who is an applicant for citizenship in the *DeKalb* Nation, I. T., and that the said *Margaret A. Sanders* is the identical person *she* represents *her* self to be in *her* application for such citizenship.

*He* further states that *he* has intimately acquainted with said applicant and has known *her* all her life, that *she* is a woman of good character and worthy of credit. That *she* is of *Indian* blood, distinguished as of *Indian* blood, in appearance, that *he* stranger would readily recognize the type. *She* and applicant is the daughter of *John B. Sanders* and the said daughter of *Mr. Mary Sanders* and by family report the great grand daughter of *Mr. John Sanders*.

Affiant further states that *he* has known the said *Margaret A. Sanders* for the past *24* years and knows that *she* has been recognized and treated by his neighbors, acquaintances and the public generally as a person of *Indian* blood; that the complexion and physical appearance of the said *Margaret A. Sanders* indicates the *Indian* type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said *Margaret A. Sanders* is of genuine *Indian* blood. Affiant also swears that *he* has no interest in the prosecution of the claim of the said *Margaret A. Sanders* to citizenship in the *DeKalb* Nation, I. T.

*Marion Smith Hortner*

Sworn to and subscribed before me this the *29th* day of *August* 1896, and I further certify that I am well acquainted with affiant and know *her* to be of good character and well worthy of credit.

*John D. White*  
Notary Public, DeKalb Co., Ga.

State of Georgia, County of Cobb

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Samuel Watson who after being duly sworn by me, states that he is 25 years old, and is a citizen of Robt Co Georgia and that he is personally acquainted with Margaret Adeline Sander who is an applicant for citizenship in the Creek Nation, I. T., and that the said Margaret Sander is the identical person she represents her self to be in her application for such citizenship.

Affiant states that he has known the applicant all his life that she bears a good character and is worthy of full credit. That said applicant is the daughter of Polly Ann Cook and the grand daughter of Mr. Mary Ann Smith, and the grand daughter of Mr. John Smith. That said applicant is the daughter of Mr. John Smith.

Affiant further states that he has known the said Margaret Adeline Sander for the past 25 years and knows that he has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said Margaret Adeline Sander indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said Margaret Adeline Sander is of genuine Indian blood. Affiant also swears that he has no interest in the prosecution of the claim of the said Margaret Adeline Sander to citizenship in the Creek Nation, I. T.

Samuel  
Watson

Sworn to and subscribed before me this the 29th day of August 1896, and I further certify that I am well acquainted with affiant and know her to be of good character and well worthy of credit.

John D. White  
Notary Public in and for the State of Georgia



En re  
Margarete-Adeline Sanders



STATE OF GEORGIA, *Cobb* County.

Being of Indian blood and entitled to money and land in the Indian Territory; by reason of that fact and being unable to prosecute my claim without assistance; now in consideration of the services to be rendered to me by J. W. HARRIS, JR., of Bartow County, Georgia, I hereby contract that he shall manage my claim and may retain for his services one-half of the moneys collected on my claims, and I agree to give him a lease of twenty years on one-half of the land set apart for me there and will deed the same to him so soon as the laws permit. My traveling expenses, if advanced to me by him, shall first be paid before a division is made, and there to be no charges unless there is a recovery on my claim.

Witness my hand and seal this *21<sup>st</sup>* day of *August* 189*6*.  
*Margaret Adeline Sanders* [L. S.]

SIGNED AND DELIVERED IN PRESENCE OF  
*John D. White*  
*Notary Public Cobb Co. Ga.*

POWER OF ATTORNEY.

STATE OF GEORGIA, County of *Cobb*

KNOW ALL MEN BY THESE PRESENTS: That I do hereby appoint J. W. HARRIS, JR., of Cartersville, Georgia, my attorney-in-fact for me and in my name to collect of the U. S. Government, of the Cherokee Nation, Indian Territory, all of the money that is now, or hereafter shall be payable to my entire family as Cherokee Indians in the final settlement with the U. S. Government and the Cherokee Indians, including grass monies, strip monies, annuities and trust monies; and to do and perform all matters that may be necessary and expedient for the purpose of carrying out the objects above mentioned. And I hereby ratify and confirm all that my said agent may do in the premises.

SIGNED AND DELIVERED IN PRESENCE OF  
*John D. White*  
*Notary Public Cobb Co. Ga.*

ACKNOWLEDGMENT.

*Margaret Adeline Sanders* } ss

On this *29<sup>th</sup>* day of *August* A. D., 189*6*, personally appeared before me  
*John D. White* a notary public, within and for the aforementioned  
*Margaret Adeline Sanders*

to me personally known to be the person...  
named in the foregoing power of attorney as the grantor... and acknowledged that  
*She* had subscribed and executed the same for the consideration and purposes therein  
set forth as *her* free, voluntary act and deed.

Witness my hand and seal as such notary public at *Marietta Cobb Co. Ga.*  
the day and year last above mentioned.

{ SEAL }

*John D. White*  
*Notary Public Cobb Co. Ga.*  
My commission expires *January 2* 189*8*.

**End**

1896  
CR 33

No. 189

4928

ORIGINAL APPLICATION OF

George L. Fortner

For Citizenship. Filled \_\_\_\_\_ day of \_\_\_\_\_

1896

HUBBARD, GARLAND & WATTS,  
Attorneys for Applicant.

J. Gabriel Jamison Town Chief of Arkansas town  
 Creek nation an as the custodian of the citizenship  
 rolls of said do solemnly swear that the name of  
 George S. Polner a head of the Polner family of said  
 town and the names of M. A. Polner Sarah Polner,  
 Clara May Polner ~~and~~ Mar, Francis Polner,  
 and Verdahet D. m. t. and Grace G. Shively as  
 children & heirs, the latter being married daughters of said  
 George S. Polner or lawfully and properly enrolled on  
 the citizenship rolls of said town as being lawful  
 citizens of the Creek nation and that by virtue of said  
 rightful & proper enrollment said persons are  
 entitled to all the rights, immunities and privileges  
 of native born citizens by blood of said Creek nation.

Gabriel Jamison  
 Town Chief of Arkansas town  
 (Witnessed & sworn to before me this 24th day  
 of December)

Wm. Morris

N. J. Commissioner



No

PETITION OF

*George L. Fortner*

for and on behalf of

*himself*

and heirs

*Notary Public*

*A. H. Seamer*  
*W. J. Watts & W. B. Watts*  
Attorney for Petitioner.

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# APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the ~~Cherokee~~ <sup>Creek</sup> Nation:

GENTLEMEN: The undersigned, petitioner *George L. Fortner* for and on behalf of

and heirs, this day makes this application for the purpose of being placed on the revised roll of ~~Cherokee~~ <sup>Creek</sup> Indians entitled to share in the distribution of funds and allotments of land in ~~Cherokee~~ <sup>Creek</sup> Nation, and therewith submit the

*affidavits of L. B. Perryman, N. B. Childers, Gabriel Jamison, Mackey Grayson.*

in support of said application, and that when *his* application shall be heard and determined.

Respectfully Submitted,

*George L. Fortner*

Enclosed herewith are the affidavits attached, as follows:

| NAME                                 | AGE       | RELATIONSHIP                      |
|--------------------------------------|-----------|-----------------------------------|
| <i>George L. Fortner</i>             | <i>50</i> | <i>George L. Fortner is</i>       |
| <i>Mary A. Fortner</i>               | <i>48</i> | <i>a son of Mary Fortner</i>      |
| <i>children of George L. Fortner</i> |           | <i>nee Hawkins, who was</i>       |
| <i>Berda Smith nee Fortner</i>       | <i>23</i> | <i>a Creek Indian by blood</i>    |
| <i>Sarah Fortner</i>                 | <i>20</i> | <i>George L. Fortner and</i>      |
| <i>Clara M. Fortner</i>              | <i>18</i> | <i>his children were enrolled</i> |
| <i>Francis Fortner</i>               | <i>8</i>  | <i>upon the Census Roll</i>       |
| <i>children of Berda Smith</i>       |           | <i>of Arkansas Terr. Creek</i>    |
| <i>Guy Smith</i>                     | <i>3</i>  | <i>Nation by Gabriel Jamison</i>  |
| <i>May Smith</i>                     | <i>1</i>  | <i>Chief of said Terr.</i>        |
|                                      |           | <i>during the year 1891</i>       |
|                                      |           | <i>But-son and his</i>            |
|                                      |           | <i>children have been dec-</i>    |
|                                      |           | <i>lined since their</i>          |
|                                      |           | <i>enrollment.</i>                |

In witness of which I hereto set my hand on this *4* day *September* 1896

*George L. Fortner*

Indian Territory }  
Northern Judicial Division }

Now on this 4th day of September  
1896 personally appeared before me W J Walts  
a Notary Public within and for said Division  
and Territory George I Fortner who being duly  
sworn upon his oath states that the facts  
set forth in the foregoing application are true  
Given to and subscribed before me this 4th  
day of September 1896

W J Walts

Notary Public

No

PETITION OF

George I Fortner

for and on behalf of

himself

and heirs

W J Walts

Notary Public

Attorney for Petitioner.

**End**

1896  
CR 34

1896  
CR 34



# 716  
 Clara Franklin.

the daughter of Monday  
 Durant. Monday Durant was  
 a prominent citizen of the  
 Creek Nation. Her daughter  
 my aunt came here in 1844  
 to the letter of Monday Durant,  
 and she and her children  
 have lived here ever since,  
 and have always been regarded  
 by everybody as descendants  
 of Monday Durant.

6  
 N. E. Durant

done and acknowledged &  
 before me this 31. day,  
 1896. John H. Fisher,  
 Notary Public

( )  
 I, the undersigned,  
 do hereby certify that  
 the foregoing is a true and  
 correct copy of the  
 original as the same appears  
 in the records of the  
 County of ... State of ...

follows: That I have known Anne  
 Durant from my childhood in Ala.  
 That she was the recognized wife  
 of Monday Durant that she is  
 the mother of Flora Franklin the  
 applicant for citizenship that  
 Flora Franklin is also the daughter  
 of Monday Durant whose name  
 appears on the authenticated rolls  
 of the Creek Nation.

Witness my hand and seal this 1<sup>st</sup>  
 day of September 1896  
 F. E. Durant  
 Phyllis Mark Sango  
 Notary Public.

Indian Territory Northern District. S. S.  
In the matter of the application of  
Flora Franklin for citizenship in the  
Creek Nation.

On this ~~one~~ day of September 1896 personally  
appeared before me a Notary Public within  
and for the above named District Philip Sango  
aged about 50 years whose P. O. address is  
Muscogee Ind. Ter., who after being duly sworn  
declares in relation to aforesaid claim as  
follows: That I have known ~~some~~  
Durant from my childhood in Okla.  
That she was the ~~recognize~~ <sup>recognize</sup> ~~one~~  
of Monday Durant that she is  
the mother of Flora Franklin the  
applicant for citizenship that  
Flora Franklin is also a daughter  
of Monday Durant whose name  
appears on the authenticated roll is  
of the Creek Nation

Witness

F. E. Durant

Subscribed and sworn to before me this 1<sup>st</sup>  
day of September 1896

Philip Sango

Notary Public.

Northern District of the } SS.  
Indian Territory

Personally appeared me a Notary  
Public in and for said district  
aforesaid, on the 2<sup>nd</sup> / September 1886  
John Gurnea aged 42 years and  
after being duly sworn makes  
the following declaration: That  
I have known Jennie Durant  
in Alabama <sup>every</sup> year of 1841.  
That I know her to be the recognized  
wife of Mondy Durant, that her  
name before her marriage to Mondy  
Durant was Jennie W. Cook, that  
Flora Franklin the applicant for  
citizenship in Creek Nation is the  
daughter of Jennie and Mondy Durant  
and her name is on the authentic  
rolls of Creek Nation. That Mrs. Jennie  
Durant was carried away from this country  
by Mr. Murtrees on or about the year of 1850 whose  
name was Sarahann W. Dancy.

N. 1

John Gurnea

Attest

Subscribed and sworn to before me this 2<sup>nd</sup> day  
of September 1886

~~John G.~~

H. St. Angelo.

Notary Public.



Indian Territory Northern District S. S.

In the matter of the application of Flora Franklin for citizenship in the Creek Nation.

On this 2<sup>nd</sup> day of September 1896 personally appeared before me a Notary Public within and for the above named District Daniel Tucker aged 48 years whose address is Wybarke, Ind. Ter. and after being duly sworn declares in relation to the above as follows:- That he is a citizen of the Creek Nation and was a member of the Creek Council when Sam Checota was chief of the Creek Nation. That he remembers well that in 1881 or '82 an act was passed by said Council and became a law allowing all persons who were descendants of Creek citizens, and who had returned to the Creek Nation, but had not been placed on the rolls of said Nation, to live around their kinsmen and build homes, and be allowed to ~~stay~~ reside in said Nation without passing a permit, as non citizens are required to do.

That affiant was well acquainted with Monday Grant and knows that he was a recognized and enrolled citizen of the Creek Nation. Daniel Tucker  
sworn and sworn to before me this  
2<sup>nd</sup> day of September 1896

John E. Lieber  
Notary Public



Indian Territory Northern District S.S.  
In the matter of the application of Flora  
Franklin for citizenship in the Creek Nation.

Before the undersigned authority  
personally appeared Nelson E.  
Durant and having been first  
duly sworn deposes and says as  
follows: To wit

That he is grandson  
of Monday Durant a Creek citizen  
who died about six or seven years  
ago, and affiant is recognized as  
a Creek citizen. That he personally  
knows that Monday Durant always  
recognized Flora Loren, now Flora  
Franklin, the aunt of this affiant,  
as his daughter and her children  
as his grand children, and that  
in 1879 & 1880 he wrote letters for  
Monday Durant to his daughter  
Flora, calling her his daughter  
and urging her and her sisters  
and their children to return to  
the Creek nation. He said Monday  
Durant had said that Flora  
Franklin <sup>was his daughter and entitled</sup>  
~~was his daughter and entitled~~  
~~to Creek citizenship~~  
~~and such was the understanding and~~  
and such was the understanding and

still is, in the family and  
 among the friends of Munday  
 Durant. My mother is fully  
 recognized and all her children  
 and my father and mother  
 and all our family always  
 recognized Flora Franklin as  
 the ~~first~~ daughter of Munday  
 Durant. Munday Durant was  
 a prominent citizen of the  
 Creek Nation. Flora Franklin  
 my Aunt came here in reply  
 to the letter of Munday Durant,  
 and she and her children  
 have lived here ever since,  
 and have always been recognized  
 by everybody as descendants  
 of Munday Durant.

2

A E Durant

# 716  
Flora Franklin.

Sworn and subscribed to  
 before me this 31. day,  
 1896, John L. Lieber,  
 Notary Public

#No 714

Case of  
Floia Franklin  
for citizenship in  
the Greek Nation.

Filed Sep 2-1894

A. S. McKinnon  
Clerk

Registered

Filed by  
Nelson Butler.  
Manager  
G. T.

To The Honorable Dances Commission

Application of Flora Franklin  
of <sup>African Descent</sup> ~~Franklin~~, for Citizenship in  
The Creek Nation.

Flora Franklin makes  
Application for Citizenship in  
The Creek Nation, and states  
the following facts in  
support of her claim to  
be enrolled as a citizen  
to wit:

She states that she is of  
African descent and about  
sixty five years old.

She was born in Alabama  
and was brought to the Creek  
Nation as a slave of Sarah  
Ann McDaniel wife of James  
McDaniel. Sarah Ann McDaniel  
~~was~~ was a Creek Indian and before  
her marriage was Sarah Ann  
McQuirk.

She was subsequently taken to  
the State of Texas by her owners,  
and returned by invitation of Creek  
Citizens, to the <sup>Creek</sup> Nation in 1880, with  
her children, five in number,

named as follows: To wit:  
Marinda, now <sup>wife</sup> of Thos Humphreys,  
Jane, now wife Dave Roberts,  
Sarah, now wife of Charles  
Parrish, Paralee, now wife  
of John Mullin, and Etch  
Loren.

She states further that she was  
married to Willis Loren in accordance  
with law and usage by George  
Harris who was a preacher in  
the Baptist Church and of African  
descent when she was about-  
twenty years of age.

She states further that she and  
the said Willis Loren lived together  
continuously as husband and wife  
until his death in the Creek Nation  
about eight years ago on ~~the~~ on  
an improvement made by them, and  
now occupied their said daughter Sarah  
Parrish, about one and a half miles  
north of Muscogee D.T.

She states further that ~~all~~ all of  
her said children aforesaid were  
born in lawful wedlock and  
are the issue of her marriage  
to the said Willis Loren.



She states further that she and the said Miller her husband came to the Creek Nation <sup>with their children</sup> in the year 1880. Eighteen hundred and eighty upon the invitation of her ~~grand~~ father Munday Durant a Creek Citizen and recognized as such until his death.

She states further that she is a daughter of Munday Durant (now deceased) of African descent, who was lawfully married to Jane Durant the mother of said Applicant in Alabama and brought to the Creek Nation as slaves, that is, the said Munday ~~and~~ his wife Jane.

She states further that the said Jane and Munday Durant were recognized as man and wife during the whole period covering the birth of four children ~~beside~~ the birth and also this Applicant, at the expiration of which time, the said Flora being a slave was taken to the state of Texas.

After the death of the said ~~Jane~~ <sup>Flora</sup>, the mother of this Applicant

The said Monday Durant sent for this applicant and her children and to his death recognized her as his daughter, and her children as his grand children.

She states further that when she and her children returned to the Creek Nation in 1880 they were recognized by the people and the Creek authorities as the children and grand children of Monday Durant, and were permitted by act of Council to reside and build homes in the Creek Nation. Her husband Willis Foren, and her son, and her daughter's husbands were required to work the public roads as Creek Citizens were required to do; no permits were ever required of them, and they were permitted to occupy lands and to enjoy all rights of property except to draw moneys.

Her husband Willis Foren died about 8 years ago, since which time she married Frederick Franklin a recognized Creek Citizen.

She states further that her Father Munday Durant was recognized in every way as a Creek Citizen from 1866 until his death some six or seven years ago, having held the offices of Town King, Councilman and Delegate to Washington.

She states further that she and her children now reside and have resided continuously in the Creek Nation since 1880, and all over improvements.

Wherefore <sup>proves that she</sup> she may be enrolled as a citizen of the Nation, and her children also.

Witness.

A. E. Durant

her  
Flora + Franklin  
Mark

Subscribed and sworn to before me this 31<sup>st</sup> day of August 1886

John E. Seeber.  
Notary Public

Dr. J. H. Henshaw  
C. C. C. C. C.

There is evidence of the nation.

There is evidence of the nation.

There is evidence of the nation.

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There is evidence of the nation.

There is evidence of the nation.



Before the Dawes Commission, Vinita Indian Territory.  
Flora Franklin,----- Plaintiff.  
VS. ( Application for enrollment,  
The Creek Nation,----- Defendant.

The defendant for answer says: That the petitioner is  
a "person of African descent" and it appears upon the face of  
application and affidavits that she was not in the Creek Country  
when the Treaty of 1866 was made and did not come back until 1880,  
and that she has never been permitted to settle in the Creek  
Country "as a citizen thereof".

2. The defendant denies that the plaintiff and her children  
were permitted by Act of Council to reside and build homes in this  
Nation or were ever recognized as citizens thereof.

3. The defendant further denies that the plaintiff and her  
children are entitled to citizenship by reason of being descendants  
of Monday Durant.

4. The defendant further says the plaintiff does not in  
their complaint state facts sufficient to entitle them to enroll-  
ment as citizens of this Nation.

S. R. Callahan,

Bunny McIntosh,

Ben T. DuVal,  
Attorneys for def't.

*Bessie McIntosh*  
says that he believes the matters and things set  
forth in the foregoing answer to be true.

*Bessie McIntosh*  
subscribed and sworn to before me this 22 day of October 1896

*My Commission expires Oct 10th 1900*  
*Notary Public for*



**End**

1896  
CR 35

1896  
CR 35

ORDER TO THE DEPARTMENT OF THE ARMY

RE

TO THE SECRETARY OF THE ARMY

FOR THE PURPOSE OF THE FOLLOWING

IN THE DEPARTMENT OF THE ARMY

OF THE ARMY

OF THE ARMY

OF THE ARMY

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Before the Dawes Commission, Vinita, Indian Territory.

|   |   |                  |
|---|---|------------------|
| No. 1. Mary Washoe and<br>seven children,-----8 persons.    | : |                  |
| No. 2. Jerusha Gibson and<br>five children,-----6 persons.  | : | -----Plaintiffs. |
| No. 3. Mattie Morton, and<br>three children,-----4 persons. | : |                  |
| VS. ( Answer.   | : |                  |
| The Creek Nation,-----                                      | : | -----Defendant.  |

Three Cases. 18 persons.  
-----

Comes the said defendant and says the three cases above named all depend upon the same evidence and the claimants are all one family.

That it appears from the statements contained in their applications that all of the applicants were born in the State of Alabama and were raised there and did not come to this Nation until after the passage of the Act of Council, approved October 26th 1889.

That they applied to the National Council in 1893 for adoption and the Council rejected their petitions and they never have been enrolled, and their right to citizenship denied.

The plaintiffs do not show in their application the degree of Creek blood they claim to have, and all the witnesses who testify as to their blood are relations and interested.

That they also rely upon their relationship to Nathaniel Perryhill who has been admitted and others who have been admitted to citizenship by this defendant.

The defendant denies that the said applicants or any of them are Creek Indians and that the facts set forth in their petition are not sufficient to prove their right to citizenship,

*To the Court and Council of the Territory of New Mexico*  
*in the case of the People vs. the Defendant*  
Wherefore the defendant says they are not entitled to citizenship in this Nation or to any of the benefits thereof.

The defendant excepts to all of the testimony offered in this case which to prove the action of the Court and Council the certified transcripts of the proceedings being the best evidence and parol testimony is not admissible unless it is shown that the records are lost and then the testimony of the custodian thereof would be the best evidence.

S.B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Wherefore the defendant* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bennie M. McIntosh*

22

Sworn to and subscribed before me this 22 day of Oct 1896  
*Witness my hand and provide seal notary public in, official seal.*  
*Wm. J. McIntosh*

*Wm. J. McIntosh*



to X- 38

Mary Foskell  
to

concord - N.H.

Complaint and  
petition

Filed Aug 30, 1886

H. W. Jaccway Secy.

Citizenship granted  
to Mary Foskell  
+ six children.

W. H. Holcomb  
Wendover N.H.

Gray Archer.  
by  
Conrad Rothow

Deposition  
taken this 20th  
of July. 1896

Deposition of John B.  
Self Taken on 26<sup>th</sup> day of  
July<sup>1876</sup> at the U.S. Commission  
in Bayou La Poudre. I.T. in the Town  
of Bayou La Poudre. I.T. to read or evidence  
in an action Mary Hoshie plaintiff  
and the Creek Nation Defendant  
pending before Doris Commission  
at Muskogee I.T. in the Cherokee  
Nation I.T. before ~~the~~ <sup>today public</sup>

John B. Self being sworn  
deposes and says -

That he is about 41-  
years Old. and resides in  
Bayou La Poudre I.T.

~~He is a~~ <sup>He is a</sup> ~~man~~ <sup>man</sup> in Texas. I know  
Mary H. Hoshie the plaintiff.  
I am a Creek citizen by  
blood. I know Mary Hoshie  
and I know that she is a creek  
by blood. I know William  
Berryhill and I know he  
was a Creek by blood. I know  
Mary Hoshie is the daughter  
of William Berryhill. I am  
first cousin to Mary Hoshie.  
I know she is a creek by blood.

I know Nathaniel <sup>son of him</sup> and know  
he is a creek citizen and has been  
along time. Witness further  
states that plaintiff's petition  
was filed by me at the same  
time that I filed my petition  
for citizenship in the Creek Nation.  
Witness states further that he  
was adopted and that plaintiff  
was ordered by the Creek au-  
thorities to be placed on the citizen-  
ship roll. Witness states further  
that the Creek Court passed on  
plaintiff's claim at the same  
time that his claim was passed  
on and recommended to be placed  
on the adopted roll. which  
finding is here attached to this  
disposition. He states further  
that plaintiff and her husband  
has been recognized by the  
Chief ~~Council~~. He states further  
that William Berryhill is  
dead ~~has~~ died about 1877.  
I know he was the father of  
Mary Hoshu. the plaintiff herein.  
Witness states further that plaintiff  
was tried in the  
Creek Court at the same time as was ~~him~~ <sup>him</sup>.  
at Mary Berryhill. Witness

his name

States that Raley Inc. Intents  
was his lawyer and was plaintiff  
Lawyer that represented him  
and plaintiff at the same time  
he was admitted as a creek citizen  
He states that Charles Smith  
was clerk of the District Court  
in Unfoula District the case  
was tried before ~~George~~ George  
Judge

John R. Self

subscribed and sworn to  
before me this 25 day of  
July 1896. *[Signature]*  
Notary Public



Deposition  
of Nathaniel  
Smythill-

---

To be read on  
behalf of James  
Gibson & Mary  
Foster

---

Deposition of Nathaniel Berryhill  
Taken on the 28 day of July  
1896, at Muskogee I. T. in N. S.  
Hoffenberg office to be read  
on a trial now pending between  
Jarusha Gibson + Mary Goshu - formerly  
Berryhill plaintiffs + Creek  
Nation Defendant now pending  
before Law Commission at Muskogee  
Charleston, S. C.

Nathaniel Berryhill being  
duly sworn deposes  
Says - He is about 65 years old  
and resides in the Creek or  
Muskogee Nation. He states  
that he is a Creek citizen by blood.  
He states that he is the son of  
William Berryhill [senior] He states  
that William Berryhill [Jr.] is my  
full brother. He states that Mary  
Berryhill, Jr. had born to him  
the following heirs [to wit] Jarusha  
Berryhill now Jarusha Gibson  
and Mary Berryhill now  
Mary Goshu. I know William  
Berryhill was and Indian by  
blood. I know Jarusha <sup>the son of</sup> + Mary  
Goshu. formerly Jarusha Berryhill

and Mary Berry Hill are  
Indians by blood. I know  
John self is an Indian by blood  
and resides in the Creek Nation  
~~and resides at or near Okfuskee~~  
S.T. Witness further states that  
he is well acquainted with James  
Shir Gibson & Mary Goshue and  
know that they are sisters and are  
children & heirs of William Berry-  
hill. Witness states further that  
James Gibson formerly James  
Berryhill & Mary Goshue formerly  
Mary Berryhill and the children  
Joseph Gibson & S.T. Witness  
has fence & cleared up and  
made improvements on  
the public domain. He states  
further they are now living  
on said farm in the Creek Nation.  
Witness further states that there  
was a committee appointed by the  
Creek Council to investigate  
further the right of Citizenship  
that the Supreme Court of  
Creek Nation had passed on  
and found that the appli-  
cants were entitled to  
citizenship

He states that the Committee  
found that the Supreme  
Court decision was correct  
and recommended that  
said Larusha Gibson + Mary  
Hoshe be enrolled as full citizens  
of the Creek Nation.

N. Daniel Berryhill

Subscribed and sworn to  
before me this 28 day  
July.

John W. Kaylor  
Notary Public

Chas. H. Asher  
vs- et al  
Oreok Nation.

Complaint

W. S. Hoffmeyer  
attorney

Filed  
Mary Asher  
subscribed and sworn to before  
me this 29 day of July 1896  
W. S. Hoffmeyer  
attorney



To the Honorable Laws Commission  
a court to pass on citizenship claim  
in the Creek Nation, Indian Territory  
Mary A. Foshee formerly Mary A.

William Foshee age 18 years  
Symilee Foshee age 16 years  
Odeta Foshee age 14 years  
Sallie Foshee age 11 years  
Walter A. Foshee age 8 years  
Jackson Foshee age 5 years

Creek Nation Defendant

The plaintiff Mary A. Foshee formerly  
Mary Berry Hill Et. al. Complainants  
of the Creek Nation I.T. above named

and cause of action states that  
they are Creek Indians by blood and  
the old Creek Nation  
in the state of Alabama east of the  
Mississippi that her age

is about 40 years. That plaintiff  
and her husband and children  
reside in the Creek Nation, that  
plaintiff and her husband and children  
are now living in the Muscogee

and her husband  
and children have farced and improved  
a three hundred acres of land for the

Wm. J. Berry

the is now  
public domain. That herself, hus-  
band and children are now living on  
said farm, and renting a part of  
said farm. Plaintiff states that  
she applied to the council for citizen-  
ship for her and her said children  
afore said. she states that her  
application for citizenship was  
reported favorable and recommended to  
to the council of the creek nation  
to admit plaintiff to citizenship said  
commissioners report is here made  
a part of this complaint and  
attached here to marked X. Plaintiff  
states that she is the daughter of  
William Berryhill, who was a  
Creek Indian by blood. That  
Nathaniel Berryhill is a Creek Indian  
and lives near Chistah creek  
Nation I. T. and has been for  
many years. That said Nathaniel  
Berryhill is the uncle of this  
plaintiff, and a full brother to  
William Berryhill who is the father  
of this plaintiff. George Berryhill  
is a cousin to this plaintiff who is  
a Creek Indian by blood and a  
citizen of the Creek Nation.

petitioner states that her son  
Self is a creek Indian by blood  
and a citizen of the Creek Nation. To your  
petitioner and resides in the Creek  
Nation, and has been for 15 or 20 years  
Then petitioner states that she and  
her children are Creek Indians by  
blood and are entitled to be made  
Citizens of the Creek Nation and en-  
titled to all the rights, privileges and  
immunities in the Creek Nation as  
any other citizen of the said Nation.  
Your petitioner states that she and  
her children are unjustly and un-  
lawfully deprived of her and their  
rights in the Creek Nation without due  
pro Where your petitioner prays that the  
Hon Commission will secure  
your petitioner and her said children  
afore said equal rights, privileges and  
immunities in the Creek Nation as is  
enjoyed by any other citizen in said  
Nation and for such further and general  
relief as may seem right in the  
premises, and that she and her  
children be enrolled on said  
Citizenship Roll.

Creek Nation L.T.

Personally appeared before me  
W.S. Waltenberger Notary Public  
Mary A. Foshee, formerly Mary A.  
Berryhill and states on oath that  
the facts in the above and fore-  
going complaint are true to  
the best of her knowledge and  
belief  
Mary Foshee

Subscribed and sworn to before  
me this 29 day of July 1896

W.S. Waltenberger  
Notary Public

Mary A. Foshee  
vs.  
Creek Nation

Creek Nation

Complaint

W.S. Waltenberger  
Notary Public



Deposition of  
C. S. Smith.

To be read  
in the  
of the  
of the  
of the



Exposition of C. S. Smith  
Taken before me on this 25 day  
of July 1896. At Enfoult  
I. R. in the Commissioner's office  
To be read in an action Jarusha  
Lubson formerly Jarusha Burghill  
and Mary Joshee formerly Mary  
Berrett Plaintiffs & Creek  
Nation Defendants. now pending  
before the Daw Commission  
at Vincta A.T.

C. S. Smith being duly sworn  
deposes and says that he is  
his age 46. and reside  
in the Creek Nation in  
Enfoult. I. R. That he is a  
Creek Citizen by blood.  
He states that he was District  
Clerk at the time the case  
of Jarusha & Joshee vs. the Creek  
Nation was brought to trial  
and was prosecuted and  
affirmable decision was  
rendered in favor of the  
Litigons. He states that the  
case was carried to the Supreme  
Court and there was confirmed  
by the Supreme Court of  
the Creek Nation, and said

Lilipons was made Citizens.  
He states that the action was be-  
gon in the District Court about  
1883 or 1884. and was finally  
disided about 1888 or 1889  
when the District Court decision  
was confirm by the Circuit Court.  
C. D. Smith.

Subscribed and sworn to before  
me this 25 day of July 1896.

W. D. Wolfenbarger  
Notary Public.

Deposition of  
Mary Baker

Deposition of Mary Jane  
Taken on the 29 day of July 1866  
at H. S. Holbrook's office in  
Muskegon T. to be read in evidence  
in an action now pending  
from the Daws Commission  
between George G. Gifford and  
John Gifford Plaintiff and  
Creek Nation Defendant and  
said commission is sitting at Detroit  
Michigan on the 29th

Mary Jane has duly sworn  
deposes with and says that she is about  
40 years old and is one of the  
children of the Creek Nation  
and was born in the Creek Nation  
in the town of Okfuskee  
City and up and went in the Creek  
Court and then at the same time that  
George Gifford was tried but was  
tried in the name of Mary Hill Gifford  
and is the same trial put in my  
claim. After which said Mary Hill Gifford  
Mary Hill Gifford and others, she  
states that she was informed  
that the case together with the  
claim was tried to the Supreme Court  
of the Creek Nation and the case was

Citizens of the Creek Nation. She  
tells that her name did not appear  
on the Citizenship Roll from some  
error, and that she was appointed  
adviser by the Council to investigate  
the matter - and that committee found  
that she was a citizen by blood  
and advised that James A. Wilson  
was a correct citizen by blood  
and recommended that she was  
a citizen & her name should be  
placed on the Citizenship Roll.  
Mr. Lusk and children  
myself have lived and im-  
proved about 200 ft. in  
on the Dominion line. The  
highly appreciated for  
the Indians and the nation. The  
Tales of her that in the year  
1890 she was on the committee  
was elected to the principal chief  
by the nation and gave him a  
new town. Sister Ketter  
states that she is the mother  
of Ketter, her name is Mary  
Ketter, her name and name  
she is one of the best by blood  
in the country. The name  
Mary Ketter is now dead



William only son, married brother  
to William Mary Hill (who is a  
single living in the state of Utah  
that in 1861 he was a young  
man - he told me that Mary Hill  
was - he said she was - who is  
a single living in the state of  
Utah - he said she is a single  
living in the state of Utah - he  
said she is a single living in the  
state of Utah - he said she is a  
single living in the state of Utah  
about 15 to  
20 years - she told that her  
brother is still sister to  
her - meaning Mary Hill

Mary for her  
sister - she said she was  
in the state of Utah  
July 1870  
H. H. H. H. H.  
H. H. H. H. H.

Adoption of  
Q. Hill

---

To be read in the  
Mary Fisher & Sarah  
Lisbon

---

Deposition of L. A. Foster  
Taken on the 27 day of July, 1870,  
at the residence of Mr. J. H. Foster in  
To be read in a case now  
pending between James  
Ischeon & Mary Ischeon formerly  
known as the Ischeon  
at the United States National  
Court at St. Mary, D. C.

A. Foster being duly  
sworn and deposed and examined  
under oath and affirmation  
that he is a true and lawful  
citizen of the United States  
and that he is a true and lawful  
citizen of the United States  
and that he is a true and lawful  
citizen of the United States  
The parties in this  
controversy are known by  
blood - I know William Bed  
as the father of the witness  
states that his wife Mary  
Ischeon formerly Mary Bed  
Citizenship was decided to be a  
citizen - She was not present  
the citizen vote. There was a com  
mittee appointed by the court  
to investigate the matter and  
they did investigate the matter

I found that the latter Indian  
be killed and his murderer  
then he placed me the  
city in which I was witness, states  
that he knew that this was ~~the~~  
part of the same band of  
the one that was commenced  
at Springfield by John Smith  
in the year of 1883 or 1884  
afterwards was carried to  
the city of <sup>Cout</sup> the work  
national business and interest,  
about 1887 and noticed and  
it became most decided  
that they had been within of  
the state of <sup>the</sup> at the  
and since then have not  
about 1890 to go and see  
the public domain at the  
Creek Station. He states that  
he is now residing in  
and wife as citizens of the  
state of <sup>the</sup> two persons  
who were associated at the time  
of the massacre to sell with  
John A. Johnson, Coryville  
He states the parties before the  
court was the Burdick

I first left and the overall  
 received citizens of the  
 1st of June. Witness of other states  
 that for things to be  
 I will the report of the committee  
 to the principal Chief for his  
 Town and he refused on the  
 ground that he was not a  
 member of the committee. This  
 was in 1873. I have the  
 matter in the hands of the  
 committee and I have  
 a list of names.

Witness.  
 (M. H. Norton)

L. H. Norton  
 Subscribed and sworn to  
 this 27th day of July 1876.  
 M. H. Norton  
 Notary Public



**End**

1896  
CR 36

1896  
CR 36

Applications of  
Celestia Filmer  
for citizenship in  
the Creek Nation

# Application for Cherokee Citizenship

**To the Honorable, the DAWES COMMISSION, Vinita, Indian Territory:**

The undersigned Celestia Palmer <sup>her</sup> your petitioner, makes this application for admission to citizenship in the ~~Cherokee~~ <sup>Cherokee</sup> Nation, Indian Territory, as a ~~Cherokee~~ <sup>Cherokee</sup> Indian by blood, in accordance with all the Treaties, the Constitution and laws of the Cherokee Nation, and precedents established and of record, and respectfully submits the following statement of facts for the grounds of <sup>her</sup> claim, to wit:

That ~~she~~ <sup>she</sup> is the ~~daughter~~ <sup>daughter</sup> of one  
~~Kandi Royal~~ <sup>Kandi Royal</sup> and the ~~who was the daughter~~ <sup>who was the daughter</sup> of one  
~~Nancy Royal~~ <sup>Nancy Royal</sup> and the ~~Grand Mother~~ <sup>Grand Mother</sup> of one  
~~his applicant~~ <sup>his applicant</sup> and a ~~half blood Creek Indian~~ <sup>half blood Creek Indian</sup> ~~one~~ <sup>one</sup>  
 who, your petitioner firmly believes, was ~~an~~ <sup>an</sup>  
 Cherokee Indian.....by blood and duly acknowledged member.....of the ~~Creek~~ <sup>Creek</sup> tribe of Indians, and from  
 whom ~~she~~ <sup>he</sup> derived ~~he~~ <sup>he</sup> ~~Creek~~ <sup>Creek</sup> Indian blood, entitling ~~her~~ <sup>her</sup> to citizenship in the Cherokee  
 Nation, Indian Territory.

That ~~the name of~~ the name..... of said ancestor..... should be found to appear on the Census Rolls, taken and made of Cherokees east of the Mississippi river, in the years, 1835, 1848, 1851, and 1852.

And your petitioner.....respectfully awaits the time this her application for admission, together with the proof in support thereof, shall be truly heard and passed upon. l

That the age of your petitioner is forty four years; that he postoffice address is Lexington O.S. and that he family, by virtue of Cherokee Indian blood, consists of the following named to-wit:

[illegible]

In Witness Whereof, I have hereunto set my hand at Lexington  
this, the 29<sup>th</sup> day of August, A. D., 1896

**Attest:**

S. W. Butler

A. M. Schen

Bellevue <sup>San</sup> & Filmer  
max

Subscribed and sworn to before me at  
Lexington, N. D.  
this, the 29th day of August  
A. D., 1896

Frank Reese

[SEAL]

Com. ex. 4. Jan 1897

#3467<sup>36</sup>  
Celeste Flowers  
vs

Creek

affidavit of S.W.  
Rutter in the Case  
of ~~Mary~~ Celeste Flowers  
Claimant for citizenship  
in the Creek nation

FILED SEPT. 9 1896.

A. S. McKENNON

COM'R

Rejected

COM'R

A. S. McKENNON

SEPT. 9 1896

at Lexington  
O.T.



# AFFIDAVIT.

Territory of Oklahoma  
Cleveland County

SS.

In the case of Celestia Brown claimant for citizenship  
Creek in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable "Dawes  
Commission," authorized under act of the Congress of the United States.

Personally appeared this day before me Frank P. Bear a Notary  
Public within and for the County of Cleveland and State of Oklahoma, duly authorized  
to administer oaths S. W. Butler to me personally

well known to be reputable and entitled to credit, and who being by me duly sworn, according to law,  
deposes and says: My name is S. W. Butler; my age is 38

38 years: My post-office address is Lexington O. D.  
I am a farmer by occupation;  
I am a citizen of the United States

And I declare in relation to the above-named case, as follows, to-wit:

that I know Celestia Brown, and have known  
her for four years, that she was known as  
of Creek blood and so recognized as  
such among the community & that I know the  
family tradition that she is the daughter of  
one Kandis Royal and the grand daughter  
of Nancy Royal a Creek Indian of the  
half blood

S. W. Butler

Subscribed and sworn to before me  
this seventh day of Sept 1896

Frank P. Bear

Notary Public

Com. exp. Jan 4, 1897

VOLUME 101  
BUREAU OF  
C. S. COTTON

FILED IN THE DISTRICT COURT

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

Albina Flowers

vs.

Albina Flowers

FILED OCT 21 1896  
A. S. MCKINNON,  
CLERK

Under the seal of the District Court of the United States for the District of Columbia

The Clerk of the Court

at ( )

Witness my hand and the seal of the Court this 21st day of October 1896

at the City of Washington

Before the Dawes Commission, Vinita, Indian Territory.

Celestia Flowers,-----Plaintiff.

vs. ( Answer.

The Creek Nation,-----Defendant.

/ Comes the said defendant and says that the statements in the petitioners application show that she is a citizen and resident of Oklahoma Territory and has never been within the limits of the Creek Nation; that she has never made application heretofore for citizenship on account of blood.

The witness upon whose affidavit she relies to prove her right is a citizen of Oklahoma and is not a responsible and disinterested, native witness, as required by the laws of this nation.

Wherefore the said defendant says, that the facts set forth in the plaintiffs complaint are not sufficient to entitle her to citizenship.

*The defense and say this Commission has no right in law to hear & decide this case* S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bunny McIntosh*

says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 22 day of Oct. 1898.

Witness my hand and private seal *having my official seal*  
*and the Rogers Seal*  
H. P.

*My Comm. Exp. 10-10-1900*

**End**

1896

CR 37

1896  
CR 37



No 3574

37

Affidavits of Eugene Almon  
and Celestia Almon on  
behalf of

May A. Butler Claimant  
for Citizenship in the  
Creek nation x

Filed Sept 9<sup>th</sup> 1896.

FILED SEPT. 9. 1896. x

A. S. MCKENNON

COM 'R'

Respectfully

Very truly  
Leavington Oka.

Affidavit

To the Hon. Hovers Commission  
and those composing said Com-  
mission to the Civilized Tribes

In the case of Mary A. Butler Claimant  
for Citizenship in the Creek Nation, Indian In-  
terview as a Creek Indian by blood before the Hon.  
"Hovers Commission" authorized under act of the  
Congress of the United States

Territory Oklahoma  
Cleveland County

30 I personally appeared before me Frank P.  
31 Reese a Notary Public within and for the County  
32 of Cleveland in Oklahoma Territory and duly  
authorized to administer oaths, Eugene Flowers  
and Celestia Flowers personally known to be  
reputable and entitled to credit and who  
being duly sworn according to their oaths  
and says that each of them deposes and  
says and the one for the other that their  
post office address is Lexington O.D. that the age  
of Celestia Flowers is 44 years and of Eugene Flowers  
is 24 years, that each is a citizen of the U.S. State  
and their occupation farming, and each of  
said affiants says for himself and the one for  
the other that they have known Mary A.  
Butler the above Claimant for Citizenship in the  
Creek Nation for four years, that she is  
and has been spoken of and recognized in  
the community in which she and we have lived  
as a Creek Indian by blood, that we know  
the family tradition that she was born in  
Tennessee and was a descendant of the Carver  
family of Creek blood of Mississippi, that

her maiden name was Ewing and descended  
from the Caruthers family, <sup>as</sup> mentioned  
Celestia <sup>for</sup> Flowers  
<sup>mark</sup>

Eugene Flowers  
subscribed and sworn to before me  
this seventh Sept, 1896

Frank Pease  
Com. ex, 4 Jan. 1897 Notary Public

No 3074

37

Affidavits of Eugene Flowers  
and Celestia Flowers on  
behalf of

Mary A. Nuttall Claimant  
for C. Eugene Flowers in the  
Eugene Flowers &  
Celestia Flowers

Filed Sept 9, 1896.

FILED SEPT. 9, 1896.

A. S. McKENNON

COM 'R'

Re present

Sealing the plea.

Application of Mary  
A. Butler for Citizens  
ship in the Creek  
Nation

No 1439.

Mary A. Butler

vs.

Creek Nation

Filed J. 7 Sept. 1896,  
H. M. Jacobway  
Clerk.

Frank P. Beane  
Lexington  
Ark.

At hearing in Oklahoma this 22 August 1896  
Attest D. Madison

James W. Butler

Subscribed and sworn to before me this 22

Aug. 1896

Frank P. Beane

Notary Public



Application for Creek Citizenship

In the Year the Dawes Commission, Vista Indian Territory  
The undersigned Mary A. Butler your petitioner  
makes this application for admission to Creek  
ship in the Creek Nation, Indian Territory as a Creek  
Indian Indian Territory as a Creek Indian by  
blood in accordance with all the Treaties, the  
constitution and laws of the Creek Nation and  
precedents established and of Record and respectfully  
submits the following statement of facts for the  
grounds of her claim to wit:

That she the said Mary A. Butler nee Ewing is the  
daughter of one Elvira Beatty nee Caruthers and  
the daughter of Alfred Caruthers to whose name  
the said Mary A. Butler files and which Alfred  
Caruthers your petitioner firmly believes was a  
Creek Indian by blood and duly acknowledged  
member of the Creek Tribe of Indians and  
from whom she derived her Creek <sup>Indian</sup> blood  
entitling her to citizenship in the Creek Nation  
Indian Territory. That his name that of Alfred Caruthers  
my said ancestor should be found to appear on the census  
rolls, taken and made of Creeks east of the Mississippi  
River in the years 1833, 1848, 1857, 1858  
and your petitioner respectfully awaits the time that  
her application for admission together with  
proofs in support thereof shall be truly heard  
and passed upon. That the age of your petitioner is 36  
years, that Lexington Ar. T. my post office address  
and that her family by virtue of her Creek <sup>Indian</sup> blood  
consists of the following:



Application of Mary  
A. Butler for citizenship  
ship in the Creek  
Nation

No 14639

Mary A. Butler

is

Creek Nation

Filed 7<sup>th</sup> Sept. 1896.  
H. M. Jacobway  
Clerk.

Frank P. Bease  
Lexington, Ky.  
A. R.

| Names            | age     | Relationship     |
|------------------|---------|------------------|
| Mary A. Butler   | 36.     | Wife & mother    |
| Eveline Butler   | 16      | daughter         |
| Ella Butler      | 12      | daughter         |
| Emma O. Butler   | 8       | daughter         |
| Elvira Butler    | 6       | daughter         |
| Wallace Butler   | 2       | son              |
| Letha Butler     | 15 days | daughter         |
| Samuel M. Butler | 38      | Husband & father |

In witness whereof I have hereunto set my hand  
at Lexington Oklahoma this 22 August A.D. 1896  
Attest A. Menden

Samuel W. Butler

Subscribed and sworn to before me this 22  
Aug. 1896

Frank P. Bease  
Notary Public

~~FRANK~~ P. CEASE, *J. Meachen*  
Attorney-at-Law,  
REAL ESTATE, LOAN AND  
INSURANCE.

\*\*\*\* Notary Public.

Lexington, Okla., Sept 4 1896

To the Hon Daws Commission  
Vinita

Dear Sirs

We will file certificate  
of having sent a copy of this application  
when we get returns from the Creek Gov  
Treas

May A. Butler  
per C. J. Meachen

DEBTS AND WARRS COMMISSION JULY 1881

REPORT THE DAVIS COMMISSION, VINITA, INDIAN TERRITORY.

Mary A. Butler, and :  
her six children, : Plaintiff,

vs.

The Creek Nation,-----Defendant.

The defendant for answer:

1st. Denies that the said Mary A. Butler and her children are Indians by blood, entitled to citizenship in the Creek Nation and pray their applications be dismissed.

2nd. That it appears by the statements in said application that the applicants are residents of the Territory of Oklahoma and have never lived within the limits of the defendant Nation.

The defendant further says that the petition and affidavit in support thereof do not state what degree of Indian blood the applicants claim to have; and that the affidavit of Eugene and Celestia Flowers, taken before Frank P. Cease, a Notary Public of Cleveland Co. O.T. on 7th day of September 1896, is irrelevant and wholly inadmissible and all the statements therein as to blood are founded upon rumors and reputation in other places than in the Creek Nation or among the Creek Indians and neither of them are native members of the Creek tribe of Indians, wherefore the defendant insists that said application be dismissed.

R. R. Callahan,  
Randy McIntosh,  
Ben F. Davis,  
Attorneys for defendant.

*Bennie M. McIntosh*

says that he believes the matters and things set forth in the foregoing answer to be true.

*Bennie M. McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896.

*Wm. H. Davis*  
*Notary Public*

**End**



1896  
CR 38

1896  
CR 38

# AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Thomas Berryhill  
for admission to citizenship in the Creek Nation.

United States of America  
Notary Public for the Indian Territory } ss

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Zacariah T. Berryhill who, after being by me duly sworn, states:  
That he is 46 years of age, and a resident of the Creek Nation and County  
and his post office address is Proctor  
he is personally acquainted with Thomas Berryhill who is an applicant for  
Citizenship in the Creek Nation. Affiant further states:

(I have set out all that witness knows about claimant's family and ancestors of Indian blood.)  
That Thomas Berryhill is a full brother  
of his own father's name was Eli  
Berryhill, who was a recognized  
Citizen of the Creek Nation. That he  
himself (Zacariah T. Berryhill) is recognized  
Citizen at present of the Creek  
Nation, that he has so been  
recognized ever since 1883, that he  
has enjoyed all the privileges  
of other Creek Indians, that  
the same blood exists in my  
brother (Thomas Berryhill).  
Our father lived with and  
was known as a member  
of the Creek tribe in the old  
country where they lived in  
the State of Alabama

Affiant further states: That he has known the said Thomas Berryhill for the  
past 40 years, and knows that he has been and is recognized by the neighbors, acquaint-  
ances and the public generally as having Creek Indian blood, and that the complexion and  
physical appearance of the said Thomas Berryhill indicate that he is of Creek  
Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from  
what he has heard and knows of the family of the said Eli Berryhill he believes the  
said Thomas Berryhill to be a descendent by blood of the Creek  
Indian tribe, and a lineal descendent of the said Eli Berryhill

Subscribed and sworn to before me this 2<sup>nd</sup> day of Sept, 1896  
Thos F. Turner  
NOTARY PUBLIC.

My Commission expires.....

# AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Thomas Berryhill  
for admission to citizenship in the Creek Nation.

United State of America  
Northern Dist of the Ind Terr } SS

Before me, the undersigned, a Notary Public in and for the Territory aforesaid, personally appeared Sam H. Doyle who, after being by me duly sworn, states: That he is ..... years of age, and a resident of the Creek and County of Nation and his post office address is ..... that he is personally acquainted with Thomas Berryhill who is an applicant for Citizenship in the Creek Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)  
That he knew his father Eli Berryhill that he was a recognized Creek Indian, that he knows J. T. Berryhill his son and who is a full brother brother of the said Thomas Berryhill that they said J. T. Berryhill is now a resident and a recognized citizen of the Creek Nation by blood. That he now enjoys all the privileges as actual Creek Indians.

Affiant further states: That he has known the said Thomas Berryhill for the past 40 years, and knows that he has been and is recognized by his neighbors, acquaintances and the public generally as having Creek Indian blood, and that the complexion and physical appearance of the said Thomas Berryhill indicate that he is of Creek Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Eli Berryhill Thomas Berryhill he believes the said Thomas Berryhill to be a descendent by blood of the Creek Indian tribe, and a lineal descendent of the said Eli Berryhill.

Subscribed and sworn to before me this

27 Sept 1896  
Sam H. Doyle  
Thos H. Doyle  
NOTARY PUBLIC

My Commission expires 1900

to be made.

where the government has the right to be notified  
of its interests.

and on the other hand the government is not to be  
the one who is notified.

and the government is not to be the one who is notified.

and the government is not to be the one who is notified.

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and the government is not to be the one who is notified.



Before the Dawes Commission, Vinita, Indian Territory.

Thomas Perryhill :  
and nine descendants: -----Plaintiff.

VS. ( Answer.

The Creek Nation,-----Defendant.

1 The defendant for answer says: That the plaintiff in her application does not state, and his witnesses do not prove that he is of Muskogee descent not farther removed than the fourth degree."

2 That the fact that his brothers have been admitted to citizenship does not entitle the applicant to enrollment.

3 The defendant further says that the petition does not show when he came to this Nation or that he had ever applied to its authorities to be admitted.

4 That his witnesses are disqualified under the laws of this Nation on the ground of interest, and their testimony if true is wholly insufficient.

5 Wherefore the defendant says the plaintiff is not entitled to citizenship.

*6. The defendant says that the plaintiff is not entitled to citizenship because he has no lawful jurisdiction over this case*  
S. B. Callahan,

Bunny McIntosh,  
Attorney for defendant.

*Bennie McIntosh* says that he believes the matters and things set forth in the ~~foregoing~~ foregoing answer to be true.

*Bennie McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896.

*Witness my hand and private seal. Having no official seal*  
*Sub. J. W. Rogers (Seal)*

*My Com. Exp. 10-10-1900*



United States of America  
Northern Dist of the } 86  
Indian Territory

Thomas Berryhill, being  
duly sworn, upon his  
oath states that he has  
transmitted a copy of  
his application for  
Citizenship together with  
a copy of all the  
evidence to the Prin Chief  
of the Creek Nation at  
Okmulgee.

<sup>notary</sup>  
J. F. Jones  
x Thomas Berryhill <sup>his</sup>  
Subscribed and sworn to <sup>notary</sup>  
before me this the 2 day of  
Sept 1896

x Thos. F. Jones  
Notary Public

Stationery, Etc.

Enfanta, I. T. Sept 2 1896

Hon. A. J. McKinnon  
Vinita, I. T.

Dear Sir: Enclosed  
you will please find  
the application of  
Thomas Berryhill for  
enrollment. He did  
have me to attend  
it any further than  
to write it up. You  
please do me the kind  
ness to inform me  
of what disposition is  
made of it.

Yours Truly  
A. J. Powell

will ever pray, etc.

The aforementioned petitioner,

*Thomas Benghueli*

says that the statements

set forth in the above and foregoing petition are true according to his best knowledge information and belief.

Subscribed and sworn to before me, this

*10th* day of *Sept* 1896.

*Thomas Benghueli* Petitioner.

*John T. Quinn*

Notary Public.

No. *489* 37

APPLICATION OF  
*Thomas Benghueli* Al.

Enrollment in *Creek* Nation

Filed on the *3* day of *Sept* 1896  
*H. M. J. Quinn*  
Sec. U. S. Com. Five Civ. Tribes.

CAPITAL PRINT, South McAlester.

*Accepted*

# APPLICATION FOR ENROLLMENT

Before the United States Commission to the Five Civilized Tribes of Indians:

*Thomas Berryhill* Et. Al.  
PETITIONER,  
*Creek* VS.  
Nation, Indian Territory,  
RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE NAMED HONORABLE COMMISSION:

Your petitioner *Thomas Berryhill* states that *his father Eli Berryhill*  
was a *Creek* Indian by blood, was duly recognized by the proper authorities as such in  
*In the Creek Nation* and enjoyed all the rights, privileges,  
benefits and immunities of other *Creek* Indians by blood in the said *Creek*  
Nation or Tribe of Indians, and that the name of the said *Eli Berryhill & Bath J. Berryhill*  
or should appear upon the authenticated rolls of the said *Creek* Indians for the year *1883*

That the petition is a lineal descendant of the said *Eli Berryhill* to-wit  
*and a full brother of the J. T. Berryhill*  
*who is now a resident of said*  
*Creek Nation and is recognized citizen*  
*by Creek blood of said nation*

That under the constitution,  
laws, usages and customs of the said *Creek* Nation or Tribe of Indians, and the laws of the United  
States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member  
of said *Creek* Tribe of Indians in Indian Territory and entitled to all the rights, benefits,  
privileges and immunities of other *Creek* Indians by blood.

That there are now living legal descendants of your said petitioner *those* persons, as follows, to-wit:  
*Idonia Hamilton* a *Daughter* and *Twenty* years of age  
*Myrtle Crikley* a *Daughter* and *Eighteen* years of age  
*Eliut Berryhill* a *Son* and *Fifteen* years of age  
*Emma Berryhill* a *Daughter* and *Thirteen* years of age  
*Morgan Berryhill* a *Daughter* and *Nine* years of age  
*Winfield Berryhill* a *Son* and *Five* years of age  
*Richard Berryhill* a *Son* and *Three* years of age  
*Arvice Crikley* a *Grand Daughter* and *Three* years of age  
*Sallie Baggett* a *Niece* and *Twenty* years of age

Wherefore, the premises considered, your petitioner prays that *his* name, with those of



his Idonia Hamilton  
said descendants to-wit: Idonia Hamilton  
Myra Calkins Elbert Berryhill Ema Berryhill Magan  
Berryhill Myra Berryhill Richard Berryhill Anna Calkins  
and that they same Baggett  
be enrolled and admitted to all the rights, benefits, privileges and  
immunities of other Creek Indians, in and to the Creek Nation or  
Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

And in support of said claim herewith submits the affidavits, depositions and record evidence namely:  
J. I. Berryhill, his brother who is a recognized  
Creek citizen, Samuel Day, the  
record of the Roll of from the old country  
and the present roll of the Creek Nation  
and petitioner respectfully awaits the time and place when his application shall be heard and tried, and petitioner  
will ever pray, etc.

The aforementioned petitioner, Thomas Berryhill says that the statements  
set forth in the above and foregoing petition are true according to his best knowledge information and belief.  
J. I. Berryhill Thomas Berryhill his  
Subscribed and sworn to before me, this 3 day of Sept 1896. man Petitioner.  
Thos. F. Jones  
Notary Public.

|                |   |                               |                        |   |                                 |
|----------------|---|-------------------------------|------------------------|---|---------------------------------|
| No. <u>649</u> | APPLICATION OF<br><u>Thomas Berryhill, et al.</u> | Enrollment in<br><u>Creek</u> | Nation<br><u>Creek</u> | Filed on the<br><u>3</u> day of <u>Sept</u> 1896<br><u>Thos. F. Jones</u><br>Sec. U. S. Com. File (W. Tribe F.) | CAPITAL PRINT, South McAlester. |
|----------------|---|-------------------------------|------------------------|---|---------------------------------|



**End**

1896  
CR 39

1896  
CR 39

DEPARTMENT OF THE INTERIOR,  
Commission to the Five Civilized Tribes,  
Honorable Tams Bixby, Commissioner.

Your petitioner, Charlotte M. Quarles, nee Berryhill,  
by her husband, Henry Quarles, a resident of the Creek Nation,  
and a citizen by blood of said Nation, makes application for  
herself, together with their five children, named respectively:

Ressie Myrtle Berryhill, age 20 years,  
Nora May Berryhill, age 19 years,  
Bennie Berryhill, age 18 years,  
Ina F. Berryhill, age 15 years,  
Oliver Perry Berryhill, age 12 years,

most respectfully says:

First: That by reason of her Creek ancestry and  
Creek blood she should be allowed to participate in the lands  
and funds of the Creek or Muskogee Nation; that she is the  
daughter of Andrew J. Berryhill, who was a bona fide citizen  
of the Creek or Muskogee Nation, and whose name appears upon  
the old Settlers' roll made by and between the United States  
Government and the Creek people in the year 1858 (reference  
to which is here made to Roll now on file in the case of  
Theodore Berryhill, et al, and now pending before the Department  
at Washington City); that Andrew J. Berryhill is a brother of  
Russell Berryhill, and they were both descendants of John  
Dallas Berryhill, who was also a citizen by blood of the Creek  
or Muskogee Nation, and whose name appears upon the authenti-  
cated roll of Old Settlers made between the United States Gov-  
ernment and the Creek people, and enrolling that portion of the  
Creek tribe of Indians and thier descendants who emigrated west  
of the Mississippi prior to the Treaty of 1832, duly signed and  
attested between the respective representatives of the Creek or

Muskogee Nation on the one hand and the United States Government on the other in the year 1858; That this applicant, Charlotte M. Quarles, is a sister of Theodosia E. Berryhill; that she has one eighth per cent. Indian blood in her veins; that the applicant herein begs leave to file or asks that the application, together with the testimony and the entire transcript of record as filed heretofore in the <sup>case</sup> ~~case~~ of Theodore Berryhill, et al. and Mary Ann Snyder, et al, be made a part of and become a part of the record and be used in this motion to reopen this application.

Your petitioner herein says that this application is made in good faith; that she believes that that is an opportunity is given her to again present her claim to citizenship in the Creek or Muskogee Nation that she can establish beyond the peradventure of a doubt her right to share in the distribution of funds in the Creek Nation; that she is a cousin by blood of Theodore Berryhill, as well as a cousin by blood of Mary Ann Snyder, and all the Berryhills that have given their testimony in the consolidated cases Numbered 993; that due and proper application has heretofore been made by the applicant herein to become a citizen of this Nation as will be seen by reference to records now on file in the Department.

Wherefore your petitioner, the applicant herein, most respectfully prays that this, her motion, be granted; that she be again given an opportunity to appear before the Commission, at a time to be agreed upon by the Commission, in order that she may be present and give testimony for enrollment, to the end that justice may be done.

(Signed) Henry Quarles.

-3-

United States of America,  
Western Judicial District, SS:  
Indian Territory.

Comes now, Henry M. Quarles, who being by me duly sworn upon his oath says that he is the husband of the applicant herein, Charlotte M. Quarles, nee Berryhill, and that he has heard the above and foregoing application read over, and that the facts and things therein contained are true to the best of his knowledge, information and belief.

(Signed) Henry Quarles.

Subscribed and sworn to before me this third day of March, 1906.

(Signed) W. N. Brook.

Notary Public. W.D. I. T.

My Commission expires Oct 5, 1908.

Service of the above motion is hereby accepted.

(Signed) M. L. Mott.  
Creek Atty.

3-3-06.



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES,  
Honorable Tams Bixby, Commissioner.

Your petitioner, James R. Berryhill, a resident of the Creek Nation, and a citizen by blood of said Nation, for himself and his wife, Theodosia E. Berryhill, makes application for himself, his wife, and his three children, named respectively:

Lavinia E. Berryhill, age 19 years,  
Clifford N. Berryhill, age 17 years  
Ada L. Berryhill, age 11 years,

most respectfully says:

First: That by reason of his Creek ancestry and Creek blood he should be allowed to participate in the lands and funds of the Creek or Muskogee Nation; that he is a son of Russell Berryhill, who was a citizen by blood of the Creek Nation, and whose name appears upon the old Settlers' roll made by and between the United States Government and the Creek Tribe of Indians in the year 1859, a copy of which is now in the archives of the Department at Washington City; that Russell Berryhill is a son of John Dallas Berryhill, who was also a citizen by blood of the Creek or Muskogee Nation, and whose name appears upon the authenticated old Settlers' roll made between the United States Government and the Creek people, enrolling that portion of the Creek tribe of Indians and their descendants who emigrated west of the Mississippi prior to the Treaty of 1832, duly signed and attested between the respective representatives of the Creek or Muskogee Nation on the one hand and the United States Government in the year of 1858; that said John Dallas Berryhill and Russell Berryhill were bona fide citizens of the Creek or Muskogee Nation, and as such were duly re-

cognized by the United States Government and the Creek people, as will be seen by reference to the roll to which reference is here made. (Roll here referred to and now on file in the case of Theodore Berryhill, et al., Creek Roll, Numbered 993); that Theodosia E. Berryhill is a sister of Mrs. Charlotte E. Quarles, nee Berryhill; that she is a citizen by blood of the Creek or Muskogee Nation; that she is the daughter of Andrew J. Berryhill, who was a bona fide citizen of the Creek or Muskogee Nation, and whose name appears upon the old Settlers' roll made by and between the United States Government and the Creek people in the year 1858 (reference to which is here made to Roll now on file in the case of Theodore Berryhill, et al., and now pending before the Department at Washington City); that Andrew J. Berryhill and Russell Berryhill were brothers, all of which belong to Broken Arrow town in the Creek Nation, Indian Territory, and were descendants of John Dallas Berryhill; that the said James R. Berryhill has one eight per cent. of Indian Blood in his veins; that his wife Theodosia E. Berryhill, has one eight per cent. Indian blood in her veins, as has Charlotte M. Quarles, nee Berryhill; that the applicant herein begs leave to file or asks that the application together with the testimony and the entire transcript of record as filed heretofore in the case of Theodore Berryhill, et al., and Mary Ann Snyder, et al., be made a part of and become a part of the record and be used in this motion to reopen this application.

Your petitioner herein says that this application is made in good faith; that he believes that if an opportunity is given him to again present his claim to citizenship in the Creek or Muskogee Nation that he can establish beyond the peradventure of a doubt his right to a share in the distribution of funds in the Creek or Muskogee Nation; that he a cousin by

blood of the applicant, Theodore Berryhill in No. 993, now pending before the Department at Washington, as well as a cousin by blood of the applicant Mary Ann Snyder, and all the Berryhills that have given their testimony in the consolidated cases Number 993; that due and proper application has heretofore been made by the applicant herein to become a citizen of this Nation, as will be seen by reference to records now on file in the Department.

WHEREFORE, your petitioner, the applicant herein most respectfully prays that his, his motion, be granted; that he be again given an opportunity to appear before the Commission, at a time to be agreed upon by the Commission, in order that he may present himself, and his testimony, for enrollment, to the end that justice may be done him.

(Signed) James R. Berryhill.

United States of America,  
Western Judicial District, SS:  
Indian Territory:

Comes now, James R. Berryhill, who being by me duly sworn, upon his oath says that he is the applicant herein; that he is the husband of applicant, Theodosia E. Berryhill; and that he has heard the above and foregoing affidavit, motion and application read over, and that the facts and things therein contained are true to the best of his knowledge, information and belief.

(Signed) James R. Berryhill.

Subscribed and sworn to before me this third day of March, A.D. 1906

(Signed) W. N. Brook  
Notary Public.

My commission expires Oct 5" 1908.

Service of the above motion is hereby accepted.

3-306

(Signed) M. L. Mott,  
Creek Atty.

184

No. 39

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

James R. Berryhill & Co.

VS.

Crest

Nation.

Received and filed this

day of

189

Secretary.

REVISOR FOR PRINT FOR THE

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

vs. . . . Nation, as follows:

WITNESS my hand and official seal at.

this the 26<sup>th</sup> day of January 1891

f January 189.....  
Jas. A. Winston  
Clerk



No 39

Jas R. Remphill & Co  
vs.  
Creek Nation

Order of Appeal  
N.S. Court

## NOTICE.

134

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

ss.

In the United States Court for said District.  
In the matter of the application of  
Jas R Berryhill et al to be  
enrolled as citizens of the ~~Cherokee~~ <sup>Chick</sup> Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

James R. Berryhill and his children

to be enrolled as citizens of the

~~Cherokee~~ <sup>Chick</sup> Nation, from said  
Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 11th day of

Jan. 1897.

A.D. 189

*William M. Springer*  
Clerk.

Muskogee, Indian Territory, December 14, 1908.

Honorable,

Secretary of the Interior.

Sir:

November 2, 1908 (D.O. 10045-1908), the Department referred to the files the report and commendation petitions of Mr. Theophilus L. Berryhill, Mrs. Charlotte Berryhill Quarles and James Russell Berryhill, requesting that they and their children be placed on the roll of the Creek Nation. The names of the children of Mrs. Berryhill, a daughter and others, are given in the report. Mr. Berryhill Quarles has not given in his petition. The names of the children of James Russell Berryhill are Daniel M., William M., and John M. Berryhill.

The claim is made in the petition of James Russell Berryhill that an error in location has been made for the enrollment of the children of said Berryhill in the roll of the Creek Nation. In the petition of Mr. Theophilus L. Berryhill and Mrs. Charlotte Berryhill Quarles it is stated that--

"These petitioners have application to be placed on the roll of the Creek Nation about the year 1901, and in some form have been pending ever since."

and--

"That a hearing was had before the Indian Commission to place these petitioners upon said roll, that said ap-

Secretary 2.

Application was rejected by said Commission; that an appeal was taken to the U. S. District Court, that said matter was referred by the then presiding Judge, W. L. Springer, to a Master in Chancery; that said Master in Chancery took evidence upon said matter and made a report thereof to said Court, and in said report recommended to said Court that these petitioners' names be placed upon the roll as citizens of the Creek or Cherokee tribe of Indians; that the said Court, in its said report, reported for the reason that the applications were not filed in time.

The records of this office have been carefully examined, and it does not appear that application was made to the Commission to the Five Civilized Tribes for the enrollment of the names of said James Marshall, William L. Clifford, and Charles L. McWhorter. That the Marshall family of this office, prior to January 1, 1904, or prior to the roll of the Creek Nation, as shown by a roll, dated June 10, 1904, of the Secretary of the Interior, under authority of the act of Congress approved March 3, 1901 (31 Stat., 1368).

The rolls and records of the Creek Nation in the possession of this office have been examined, and it does not appear therefrom that the petitioners, or any of them, have ever been enrolled as citizens of the Creek Nation by the tribal authorities of said Nation. It does appear, however, that an application was made to the Creek citizenship commission, recently

Secretary B.

Known as the "Colbert Commission" for the admission to citizenship in the Creek Nation of Theodora Colbert, that said application was denied, and that the decision of said Commission was affirmed by the United States Court in Indian Territory.

It further appears that on September 2, 1896, an application was made to the Commission to the five civilize tribes for the admission to citizenship in the Creek Nation of James M. Colbert and his minor children, Savina M., Charles J. and Ada M. Colbert, and said application was denied by said Commission, and that the decision of said Commission was affirmed by the United States Court in Indian Territory.

Review of the order of the United States Court in Indian Territory, dated March 1, 1894, in the case of Theodora Colbert, et al. v. The United States, et al., has been made, and it is respectfully recommended that the petition of Mrs. Theodora Colbert, nee Charlotte Colbert, married to James M. Colbert, and her minor children, that they and their children be placed upon the rolls of the Creek Nation be granted.

The petition transmitted with the Department's communication of November 20, 1896, is herewith returned.

Respectfully,

Through the  
Commissioner of Indian Affairs.

Jan-2-14-A

Commissioner.



Muskogee, Indian Territory, December 14, 1908.

The Honorable,

The Secretary of the Interior.

Sir:

November 2, 1908 (D.O. 10045-1006). The Department referred to this office for report and recommendation petitions of Mr. Theodora S. Berryhill, Mrs. Charlotte Berryhill Quares and James Russell Berryhill, requesting that they and their children be placed on the rolls of the Creek Nation. The names of the children of Mr. Theodora S. Berryhill and of Mrs. Charlotte Berryhill Quares are not given in the petitions. The names of the children of James Russell Berryhill are Lillian S. Quares and Adam S. Berryhill.

It is stated in the petition of James Russell Berryhill that no prior application has been made for the enrollment of himself and his said children as citizens of the Creek Nation. In the petition of Mrs. Charlotte S. Berryhill and Mrs. Charlotte Berryhill Quares it is stated that--

"These petitioners made application to be enrolled as such citizens first about the year 1888, and in some form has been pending ever since."

and--

"That a hearing was had before the Indian Commission to place these petitioners upon said roll, that said ap-

Secretary 2.

litigation was reported to said Commission; that an appeal was taken to the U. S. District Court, that said matter was referred by the then presiding Judge, W. L. Springer, to a Master in Chancery; that said Master in Chancery took evidence on said matter and made a report thereof to said Court, and in said report recommended to said Court that the petitioners' names be placed upon the roll as citizens of the Creek or Muskogee tribe of Indians; that the said Court refused to receive said report or to consider the same as evidence, and that it was in time.

The records of this office have been carefully examined, and it does not appear that an litigation was made to the Commission to determine civil status of the petitioners. A petition of the Creek and Muskogee tribes, signed by Virginia A. Smith, and Frederick A. Smith, was filed at the Marshall quarter, on the 10th day of October, 1904, on which date the roll of the Creek and Muskogee tribes was closed. June 10, 1904. The Secretary of the Interior, under authority in his vested by act of Congress, approved March 3, 1901 (31 Stat., 1080).

The rolls and records of the Creek and Muskogee tribes in the Commission of this office have been examined, and it does not appear therefrom that the petitioners, or any of them, have ever been admitted as citizens in the Creek nation by the tribal authorities of said nation. It does appear, however, that an litigation was made to the Creek citizenship commission, and only

Secretary B.

known as the "Colbert Commission" for the admission to citizenship in the Creek Nation of Theodora Berryhill, that said application was denied, and that the decision of said Commission was affirmed by the United States Court in Indian Territory.

It further appears that on September 2, 1906, application was made to the Commission to the Five Civilized Tribes for the admission to citizenship in the Creek Nation of James L. Berryhill and his minor children, Levinia M., Marion C. and Ada M. Berryhill, that said application was denied by said Commission, and that the decision of said Commission was affirmed by the United States Court in Indian Territory.

In view of the order of the Secretary of the Interior concerning said order, dated June 18, 1904, I have the honor to respectfully recommend that the petitions of Mrs. Theodora L. Berryhill, Mrs. Charlotte Berryhill nee James M. Berryhill and their minor children be placed upon the rolls of the Creek Nation as provided.

The petitions transmitted with the Department's communication of November 20, 1905, are herewith returned.

Respectfully,

Through the  
Commissioner of Indian Affairs.

JYN-14-A

Commissioner.

7492

|                                 |
|---------------------------------|
| REFER IN REPLY TO THE FOLLOWING |
|                                 |
|                                 |
|                                 |

DEPARTMENT OF THE INTERIOR.  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory. February 23, 1906.

James E. Berryhill,  
General Delivery,  
Muskogee, Indian Territory.

Dear Sir:

Receipt is acknowledged of your letter of February 16, 1906 in which you state that you desire notice of action in your case to be sent to you at Muskogee, Indian Territory. You do not state in which Nation you claim to be a citizen.

If you will state the nature of the case in which you expect to be notified and furnish information sufficient to identify you as a citizen of any of the Five Civilized Tribes, your request will be duly considered.

Respectfully,

*[Signature]*  
Acting Commissioner.

8009710 10/24

*Ell. # 1048*

Brook & Brook,  
Muskogee, I.T.,  
March 3, 1900.

Ask status of application  
of James R. Perryhill for  
citizenship in Creek Nation.



W N BROOK

ECK E. BROOK

Brook & Brook,  
LAWYERS

SUITE 1-2-3 CRABTREE BUILDING,  
1111 MAIN ST. PHONE 91.  
STENOGRAPHER AND NOTARY IN OFFICE.

Mustang, Ind. Tex. March 3rd 1906

Commission to  
Five Civilized Tribes  
Washington D.C.

The accompanying letter  
from your department has been submitted  
to the local Commissioner at this place  
and we are informed that that no papers  
have been transmitted to this department  
Mr Berryhill is a Creek Citizen by  
Blood and he made his application  
for enrollment as such and it was in  
reference to his application that he  
wrote to you desiring to know when he  
might expect notice of a hearing upon  
his application. Yours Truly

Brooks, T. D Brooks  
for

James R Berryhill

REFER IN REPLY TO THE FOLLOWING:

COPY

LAND: **DEPARTMENT OF THE INTERIOR,**  
**101045-1905** **OFFICE OF INDIAN AFFAIRS,**  
**WASHINGTON.**

March 3, 1906.

The Honorable,  
The Secretary of the Interior.

Sir:

Referring to Department letter of November 20, 1905 (ITD 10645-05), I have the honor to enclose an adverse report from the Commissioner to the Five Civilized Tribes dated December 14, 1905, on the petition of Mrs. Theodosia E. Berryhill, Mrs. Charlotte Berryhill Quarles, and James Russell Berryhill, requesting that their and their children's names be placed on the rolls of the Creek Nation. The names of the children of Mrs. Theodosia E. Berryhill and of Mrs. Charlotte Berryhill Quarles are not shown. The names of the children of James Russell Berryhill are: Lavinia E. Clifford, and Ada M. Berryhill.

The Commissioner reports that on September 2, 1896, application was made to the Commission to the Five Civilized Tribes for admission to citizenship of the Creek Nation, by James R. Berryhill for himself and his minor children, Lavinia E., Marion C., and Ada M. Berryhill; that this application was denied by the Commission; and that the decision was affirmed by the United States Court in Indian Territory. The Commissioner further says, that no other application was made by the applicants on or before September 1, 1904, when the rolls of the

102.4

5  
1 3886

Creek Nation were closed; and that none of the applicants has ever been enrolled or admitted to citizenship by any tribal authority of the Creek Nation or by any United States tribunal.

I concur in the recommendation of the Commissioner that the petition be dismissed.

Very respectfully,

C. F. Larrabee,  
Acting Commissioner.

WLM

C

41  
39

Muskogee, Indian Territory, August 13, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

The records in the possession of this office show that application was made to the Commission to the Five Civilized Tribes, under the act of June 10, 1896 (29 Stats. L. 321), for the admission of James R. Berryhill, his wife Theodosia R. Berryhill, and their children, Lavinia R., Marion C. and Ada M. Berryhill to citizenship in the Creek Nation as citizens by blood; that decision was rendered by said Commission denying said application and said decision was sustained by judgment of the United States Court on appeal. The names of these persons appear on Creek census card No. 3042.

It is not contended by applicants nor does it appear from the records of this office that the names of said applicants, or any of them, are listed upon any of the authenticated tribal rolls of the Creek Nation.



-2-

There is inclosed herewith for Departmental consideration motion to reopen said cause filed with this office March 3, 1906.

The statements set forth in said motion as grounds for rehearing are similar in every material respect to the contentions of applicants in the consolidated Creek cases of Theodore Berryhill, et al., Mary Ann Snyder, et al., and Peter Snyder, et al. and in the adjudication of this matter the attention of the Department is respectfully invited to report of the Commissioner in said cases under date of August 9, 1906.

In view of the facts in the case and of the law as set out in said report, I am of the opinion that the applicants included in the case of James R. Berryhill, et al. and none of them are entitled to be enrolled as citizens of the Creek Nation and respectfully recommend that said motion to reopen be denied.

Respectfully,

Through the  
Commissioner of Indian Affairs.

Commissioner.

Muskogee, Indian Territory, August 13, 1906.

Rek E. Brook,

Attorney for Charlotte M. Quarles, et al.,  
Muskogee, Indian Territory.

Dear Sir:

On March 3, 1906, there was filed with this office motion to reopen in the matter of the alleged application for the enrollment of Charlotte M. Quarles, nee Berryhill, and her children, Bessie Myrtle, Nora May, Bennie, Ina F. and Oliver Perry Berryhill, as citizens by blood of the Creek Nation.

You are advised that a careful examination of the records in the possession of this office fails to show that any application has ever been made by or for the persons above mentioned, for enrollment as citizens of the Creek Nation, and that this office is now without authority of law to receive or consider an application for their enrollment as such.

Respectfully,

Commissioner.

**End**

1896

CR 40

~~EMPTY~~

1896  
CR 40

BEFORE THE DAWES COMMISSION, VINITA, INDIAN TERRITORY.

John Perryhill for :  
Mary E. Hendricks :  
and her five children ----- Plaintiff,  
of Alabama. :

VS. ( Application for citizenship.

The Creek Nation,----- Defendant.

Comes the defendant and moves the Commission  
to dismiss this cause and strike it from the Docket for the  
following reasons:

1st. Because the application for citizenship on its face  
appears to be made by Mary E. Hendricks and her children but it  
is not signed by them or any of them but by one John Perryhill;  
the rules of this Commission require the application to be made  
in writing, signed and sworn to by the person desiring to have  
the Commission to pass on his claim for citizenship.

2. Because it is not sworn to by the petitioners or any  
body else. What was intended for an affidavit and <sup>the first</sup> is as  
follows: "In witness of which ~~affidavit~~ application I hereunto  
set my hand this the 28th day of August \_\_\_\_"

John Perryhill, P. Attorney."

"Subscribed and sworn to before me this 28th day of Aug. A.D. 1896.

Mose W. Layette,  
Commissioner of State of  
Arkansas for I.T."

The defendant says that Mose W. La Fayette, as Commissioner of the  
State of Arkansas for Indian Territory, has no authority to  
administer oaths.



3. Because the said application does not conform in any respect to the rules of the procedure proscribed by this Commission in such cases.

4. The defendant says: That it appears from the application and affidavits thereto attached that the applicants are not residents of the Creek Nation, nor that they ever have been, and that they and their ancestors have never resided in the jurisdictional limits of this Nation and have never heretofore made application for citizenship, and have not proven that they are Indians by blood in the fourth degree by a responsible and disinterested ~~xxxxxx~~ native witness.

5. The application is supported by one affidavit of one William Weldon, a citizen of Shelby County, Alabama, 56 years old, who swears she is of Creek blood and bases his opinion upon her appearances, that he believes she is ~~xxxxxx~~ Indian of Creek Indian blood. The affiant is too young to know anything of the Creeks as a tribe or Nation east of the Mississippi, and his testimony is hearsay only; and the general reputation of being a Creek Indian among the neighbors would be very slight the neighbors were Creek Indians themselves. This witness says he had known her 47 years which is the same as is put down as her age in the Perryhill petition.

6 The petition is signed and sworn to by John Perryhill before the same officer before whom Weldon the witness was sworn and there is no explanation why Mrs. Hendricks did not sign and swear to the application herself.

7 Wherefore the defendant insists that this petition should be dismissed. *in the defendant's ant says this is a corruption case no law and 2 good or jurisdiction to hear & determine this case* R.R. Callahan,

Bunny McIntosh,

Ben T. DuVal,  
Attorneys for defendant.

*Bernie W. Hoots* says that he believes the matters and things  
set forth in the foregoing answer to be true.

*Bernie W. Hoots*

Sworn to and subscribed before me this 2 day of July 1896  
*Julius Rogers (seal)*  
H. P.

*My Comm. exp. Oct 1st/1900*

John Henry Bull  
Mar. 2 Henry  
17

The Lock Haven

*Barranca*

Ernst Moritz Arndt, 1797-1861

THE UNIVERSITY OF CHICAGO

Received this day the application  
and evidence of Maria J. Barr  
William E. D. Barr, Josiah T. L. Barr,  
Leila J. Barr, and Archer D. Barr  
for citizenship in the Creek Nation.  
Sept. 7<sup>th</sup> 1896.

J. M. Callahan  
Print Secy.

Wm. M. M. M. M.  
Wm. M. M. M. M.  
Muskogee Nation

conceded her try to settle  
the residence of Robert Burdett  
Esq. Hampshire and James Kempell  
at the same place. Oct. 1896.

Lowell, Mass.  
2nd Nov. 1896.  
" Boston

Wm. L. L. L.  
Simp. Secy.





Before the Dawes Commission, Vinita, Indian Territory.

John M. Berryhill, :  
:-----Plaintiff,  
and five children, :  
VS. ( Answer.  
The Creek Nation,-----Defendant.

( The defendant says: That it appears by the statements in plaintiffs petition that he was born in the State of Alabama and did not come to this Nation until about three years ago; That he has never resided in the Creek Nation or heretofore made application for citizenship on account of blood; that he does not show the degree of Creek Indian <sup>blood</sup> he claims to have in his veins, and he does not present any competent evidence either record or otherwise to establish his claim,

Wherefore the defendant says that the applicant is not an Indian, and the facts stated in the application if true do not show the applicant and his children to be entitled to citizenship under the laws of this Nation, and said application should be rejected. *S. P. Callahan says they have no jurisdiction to try this case.*  
S. P. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Wm. M. McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October, 1896.  
*Witness my hand and private seal for my official seal and the People (Seal)*  
*H. P.*  
*Wm. M. McIntosh*

REPORT THE DAWES COMMISSION, VINITA, INDIAN TERRITORY.

John Perryhill, :  
Alican Perryhill, : ----- Plaintiffs.  
Annetha, Thomas J. :  
& Charles W. Perryhill  
son and daughter of :  
one Thomas N. Perryhill

and

Robert Perryhill, :  
Effie Perryhill, :  
James Perryhill, son: ----- Plaintiffs  
and daughter of one :  
Thomas W. Perryhill :

vs.

The Creek Nation : ----- Defendant.

Two Cases.  
-++++-  
-++++-

The defendant moves the Commission to dismiss the application of the above named applicants because it was not sworn to before an officer authorized by law to take affidavits in such cases and because the affidavit of Nathaniel Perryhill was made before Mose W. LaFayette who is not authorized by law to take affidavits to be used before this Commission or elsewhere than in the State of Arkansas.

2. The defendant moves the Commission to dismiss the application of Robert Perryhill, Effie Perryhill and James Perryhill because it is not signed by the applicants or any of them and was sworn to before "Mose W. LaFayette, Commissioner of State of Arkansas for I.T." a person not authorized to administer oaths in such cases.

3. The defendant also moves the Court to dismiss said application because it does not state facts sufficient, if true, to show that they are entitled to citizenship.

4. The defendant further answering denies that the said

applicants are entitled to citizenship in this Nation, because it does not appear upon the face of their application that they ever resided in the limits of the Creek Nation; and that they have been and are still residing outside of its limits among Whites and have more White than Indian blood in their veins and are White people and citizens of the State in which they reside.

*S. R. Callahan,*

Runny McIntosh,

Ben T. DuVal,  
Attorneys for defendant.

*I, Runny McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Runny McIntosh*

Sworn to and subscribed before me this \_\_\_ day of \_\_\_\_\_ 1896.

*Wm. M. Rogers (not)*

*By same exp Oct 15th 1900*

*W. M. Rogers*

1940

1941

1942

1943

1944

1945

1946

1947

1948

1949

1950

1951



Chicotah Creek Nation  
Indian Territory } Sept 2<sup>nd</sup> 1896.

To the Honorable Genl. Commission.  
Gentlemen:— I, Nathaniel Berryhill  
Who is a citizen of the Creek Nation I.T.  
do certify to the following named  
Persons as citizens of the Creek Nation  
by blood to wit.

Reuben & Barbara With Name Family of I.T.  
R.E. Mosler and Family of I.T.  
M.H. J. Bell and Family of I.T.  
John Berryhill and Family of Alabama  
Robert Berryhill and Family " Ala.  
Mary E. Hendricks and Family " Ala.  
Nathan J. Wynn and Family " Ala.  
A. M. Self and Family of I.T.  
Mrs. Ellen Frank and Family I.T.  
Bethenia Nichols Family I.T.  
Wm. of William J. Mills of Texas  
C. W. Berryhill and Family of Mississippi  
James Berryhill and Family I.T.  
Newton Berryhill and Family I.T.  
John Berryhill and Family I.T.  
Mollie Naudack and Family I.T.  
T. D. Berryhill and Family I.T.  
North. Small and Family I.T.  
Nancy Burtall and Sarah, her, and family of I.T.

Martha Tammell and family of J. F.  
Robert. Hargood M. J. Buryhill, & W. D.  
Buryhill.

General  
Affidavit  
of

Affidavit.

Nathaniel Perryhill

of Nathaniel  
Perryhill

W. D. Thompson  
Notary Public.

all of them is related to the by blood  
Nathanail Berryhill. who is a citizen  
by Blood of the Creek or Muscogee  
Indians

And for your further reference I herein  
furnish you with a list of Emigrants  
of the Old Nation now on file at  
Washington City D. C. U. S. A. to wit-

John C. Berryhill  
Alexander Berryhill  
Pleasant Berryhill  
Nancy Bodey  
Betsy McGhee  
Katie Self  
Susan Self  
Betsy Berryhill

These are the Grandfathers and  
grand Mothers of many of the  
applicants for citizenship in this  
Creek Nation and the  
foregoing may be of  
much benefit to you.  
Honorable Bodey and  
Reference  
N. Berryhill

Subscribed and sworn to before me  
this 5<sup>th</sup> day of Sept. 1896. and I  
further certify that I am well acquainted  
with the said Nathaniel Berryhill  
and know him to be a person of  
credibility and of truth.

W. J. Hoffmeyer  
Notary Public.

General  
Apparatus  
of  
Nathaniel Berryhill

Apparatus  
of  
Nathaniel  
Berryhill



Brief in behalf of

J. M. Berryhill & Co.

vs.

Creek Nation.

May it please this Honorable  
Commission. It will be observed  
That the rules and usages  
and customs of each Nation  
must be observed. Then what  
is the ~~customs~~ and mode of ad-  
mitting Citizens to Citizenship  
was it by blood, or otherwise.  
We take the position ~~that~~  
a white man a United Citizen  
cannot be legally in any one  
of the five civilized Tribes,  
adoption by any process what-  
-ever we hold that these Nations  
are an Estates in Common with  
all the Indians. We take the further  
ground that the Lands East of  
the Mississippi was transferred  
to all of them. and if we are correct  
in this part of the Case. Then no  
can become a citizen of the Nations  
only by blood. Then if a  
claimant for Citizenship in  
the Nations can satisfy this Hon-  
-orable Commission by fair and reliable  
Proof that he is an Indian by

<sup>2</sup>  
Blood. This Honorable Commission will adopt him as a Citizen otherwise he cannot be adopted.

It will be further observed that the Law governing this Honorable Commission the right to try Citizenship Claiming Indian by Blood is upon the ground that all persons that can establish his or her rights by blood to the satisfaction of this Court. By competent proof your Honors will decide and declare them entitled to be enroll as Citizen of said Nation

Act - Congress - 6 June 1876.

It will be further observed that the roll of Citizenship of the several tribes of Indians as now existing are hereby confirmed and any person who shall claim to added said roll as Citizen of either of said tribes and whose right thereto has either been denied or not acted upon or any Citizen who may within three months on and after the

Brief in  
J. M. Beuzhid

H. S. Holzmann

passage of this act desires such  
Citizenship. Any person desiring  
that said Commission shall pass  
upon his or her claim must make  
application in writing signed  
sworn to the grounds before which  
his claim is posted. Should  
state facts sufficient if true  
to show that the applicant is en-  
titled to Citizenship. May it please  
this honorable Commission that has  
been done. Then the only question  
is the applicant and Indians.

In the affidavits and record  
evidence and Depositions  
in said case attach to Comptroller

J. M. Burghill is now living  
in the Creek nation and now  
has been called on to pay against  
them by acknowledging him to be  
and Indian by blood.

It will be further observed that  
we uphold that these nations are States  
in common. we uphold that the test  
for Citizenship is <sup>by</sup> blood. The whole of T. T.  
was bought for the Indians with the  
Cattle of all the Indians East of the Missi-  
sippi. then by gaining every Indian except  
to hold his Citizenship here the same  
if he had come here 1832.



Respectfully Submitted.  
W. S. Hoefinger  
attorney for  
Applicant.

Book in

J. M. Brumby

W. S. Hoefinger



G. W. Berryhill,  
vs.  
Creek Nation } Argument  
In behalf of Claimants for citizenship } by W. S. Hoffenberg.  
in the S.T.

May it please this Honorable Commission. It will be observed that the records of Defendant Nation shows the rule and usages and Customs of each of said Nation or Tribes are to adopt Indian by blood. It will be further observed that about one half of the Cherokee business men are adopted by the Council since 1866. which was all illegal and void. It will be further observed that the law governing this Honorable Commission the right to try Citizens claiming to be Indians by blood is upon the principal that all persons that can establish his or her rights by blood to the satisfaction of this Honorable Commission by competent proof your honors will declare them to be citizens of the Nation. See Acts of Congress June 8<sup>th</sup> 1896.  
& it will be further observed that the rolls citizenship of the several Tribes of Indians as they now exist

are here by Confum, and any person who shall claim to be added to said rolls as a citizen of either of said tribes, and whose rights thereto has either been denied or, not acted upon or any citizen who may within three months from and after the passage of this act desire such citizenship. Any person desiring that said Commission shall pass upon his or her claim must make applications in writing sign and swear to the grounds upon which his claim is based. Should state facts sufficient if true to show that the applicant is entitled to citizenship. May it please the Commission. Then the only remaining question for the Commission is to place every one on the rolls that as citizens that was on the rolls on June 8, 1896.

It will be observed that the claimants for citizenship claim their right to citizenship by blood and this is the test. They claim that their nation is a property right in common to the whole Muskogee or Creek Nation

Samuel Berryhill is  
G. W. Berryhill

Father John Berryhill was his  
Grandfather. William John D.  
Thomas G. Aky. G. N. Berryhill  
Pleasant Berryhill Uncle and  
Sons, aunts, Martha Francis  
Sarah Elizabeth ands. Come  
To the Creek Nation when the  
Tribe of Muskogee Indians was  
removed by the Government  
there are a number of Children  
now living in the Creek Nation  
now. who are Citizens whose  
rights have never been questioned  
See the Copy of Record from  
Washington D. C.

See the affidavit  
of Nathaniel Berryhill. See  
G. N. Berryhill affidavits from  
various persons.

Now. May it please this Honorable  
Commission. The only point  
for this Commission to settle as a  
matter of Law. in my judgment  
brought on the Law of this case is who  
is Indian by blood. We take it that  
every Indian who can show  
to this Honorable Commission  
he or she as the case may be that  
he is an Indian by blood  
of the Muskogee Creek Nation.



as well as those now residing upon  
the land as of the grate body of  
Muskogee tribe of Indians. who shall remain  
on East Side of the Mississippi River  
and it is also understood and agreed  
that the Seminole Indians of  
Florida who removed this County  
by the Treaty with the United States  
dated Nov. the 9<sup>th</sup> 1852. shall also  
have the ~~same~~ permanent  
and comfortable home on  
the land hereby set apart  
as the Creek County or Creek  
Nation. see Chapter 1852. Book  
Compiled Laws of Creek Nation  
1893. On page One, Section  
(4) Page of Beginning see  
Constitution of same  
book D 17, sec 1-  
100 Laws, Taking effect upon  
things that occurred before  
the enacting of the Law  
shall be passed see  
Constitution of Creek Statute  
of 1893. D. 17- sect. 2-

G. W. Berryhill and his children  
are Indian by blood. Samuel  
Berryhill is G. W. Berryhill  
father married to in this book

is entitled to be enrolled by this  
Honorable Commission.

See 12. Article Treaty of 1832

§ 41 sect. Patton Compiler  
Low Creek Station. at the begin-  
ing of said.

May it please this Hon-  
Commission we take the broad  
view that these Indians are held  
as an estate in common for  
these Indians. and every Indian  
whose ancestors property was  
taken by the Government  
and sold for this County. has  
as much property rights there  
as any Citizen who has been  
here. we hold this County  
is a property right. if we are  
correct in this view. these Indians  
are all coparceners & joint-tenors  
which makes them inalienable  
with a vested right that no law  
can take away from them - now  
we submit that the blood is  
the test. That being so if this  
Honorable Commission will  
enroll every Indian who proves  
himself to be an Indian by blood.  
to the satisfaction of this Honorable  
Commission. Respectfully submitted.  
M. S. Wolfenberger.



G. W. Berryhill  
and his Children  
Brief

Filed Sept. 22, 96.  
H. W. Jansway  
Deputy.

W. S. Walzemburg

Received this day the application  
and evidence of John Berryhill,  
Alison Berryhill, Francis Berryhill  
Thomas J. Berryhill and Charles H.  
Berryhill for Citizenship in the  
Creek Nation. Sept 7<sup>th</sup> 1896.

Robt M. H. Tost  
2<sup>nd</sup> & Acty. Prin. Chief  
Muskogee Nation

J. B. Callahan  
Not. Secy.

# APPLICATION FOR CITIZENSHIP.

To the Honorable ~~National Council~~ <sup>James Commission</sup> of the Creek Nation, Ind. Ter.

GENTLEMEN:—The undersigned, your petitioner, this day makes this thru Application for citizenship in the Creek Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this thru Application to wit:

That thru Application is the Sons and Daughters of one Thomas Berryhill who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this thru Application for thru Citizenship by blood, and respectfully waits the time when our Sonal Application shall be truly heard and tried. Respectfully submitted.

Age 52 <sup>dated</sup> years; Postoffice Leeds Alabama  
Family, with their relationship attached is as follows:

| NO. | NAME.                            | SEX.              | AGE           | RELATIONSHIP.                     |
|-----|----------------------------------|-------------------|---------------|-----------------------------------|
| 1   | John Berryhill                   | Male              | 52            | 1/8 Creek Indian and Father       |
| 2   | <del>Caroline M. Berryhill</del> | <del>Female</del> | <del>44</del> | <del>Wife of John Berryhill</del> |
| 3   | Allison Berryhill                | Female            | 7             | Child of John Berryhill           |
| 4   | Annetta Berryhill                | Female            | 5             | Daughter " "                      |
| 5   | Thomas J. Berryhill              | Male              | 3             | Son " "                           |
| 6   | Charles H. Berryhill             | "                 | 1             | Son " "                           |

In witness of which Application, I hereunto set my hand, on this, the 29 day of Aug 1896  
John Berryhill  
 Subscribed and sworn to before me this 29 day of Aug 1896.  
Joseph P. Byers, Attorney.  
More W. Lafayette  
Clerk of State of Ind for  
the 4th

# APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Cherokee Nation, Ind. Ter.

GENTLEMEN:—The undersigned, your petitioner, this day makes this Cherokee Application for citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this Cherokee Application, to wit:

That these Applicants is the Sons and Daughters of one Thomas Berryhill who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this Cherokee Application for Cherokee Citizenship by blood, and respectfully waits the time when such Application shall be truly heard and tried. Respectfully submitted.

Age 44 years; Postoffice Leeds Alabama

Family, with their relationship attached is as follows:

| NO. | NAME.            | SEX.   | AGE | RELATIONSHIP.             |
|-----|------------------|--------|-----|---------------------------|
| 1   | Robert Berryhill | male   | 44  | 1/4 Creek Indian by blood |
| 2   | Effie Berryhill  | female | 13  | 1/16 " " " "              |
| 3   | James Berryhill  | male   | 11  | " " " " "                 |

In witness of which Application, I hereunto set my hand, on this, the 29 day of August 1896

Subscribed and sworn to before me this 29 day of Aug 1896

JOSEPH P. BYERS, Attorney.

John Berryhill  
More A. Lafayette  
Chas of State of Ark for the  
S. J. B.

Received this day the application  
and evidence of Mary E. Hendricks  
Pella J. Hendricks, Ella B. Hendricks  
Mertie L. Hendricks, Fannie W. Hendricks  
and James W. Hendricks, for Citizenship  
in the Creek Nation. Sept 7<sup>th</sup> 1896.

Coly McIntosh  
2<sup>nd</sup> and actg. Prin. Chief  
Muskogee Nation

W. McClanahan  
Prin. Secy.



# APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of the Creek Nation, Ind. Ter.

GENTLEMEN:—The undersigned, your petitioner, this day makes this thru Application for citizenship in the Creek Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this thru Application to wit:

That this Applicant is the son and daughter of one Thomas N. Berryhill who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this thru Application for citizenship Citizenship by blood, and respectfully waits the time when our son Application shall be truly heard and tried. Respectfully submitted.

Age 24 years; Postoffice Sands Alabama

Family, with their relationship attached is as follows:

| NO. | NAME.                         | SEX.            | AGE.          | RELATIONSHIP.             |
|-----|-------------------------------|-----------------|---------------|---------------------------|
| 1   | <del>James H. Hendricks</del> | <del>Male</del> | <del>47</del> |                           |
| 2   | Mary E. Hendricks             | Female          | 47            | 1/8 Creek Indian by blood |
| 3   | Kella J. Hendricks            | "               | 20            | Daughter " "              |
| 4   | Eula B. Hendricks             | "               | 17            | " " "                     |
| 5   | Mertie L. Hendricks           | "               | 14            | " " "                     |
| 6   | Louise N. Hendricks           | "               | 12            | " " "                     |
| 7   | James W. Hendricks            | Male            | 7             | Son " "                   |

In witness of which Application, I hereunto set my hand, on this, the 29 day of August 1896

Subscribed and sworn to before me this 29 day of Aug 1896

JOSEPH P. BYERS, Attorney.

John Berryhill P. Atty  
Mose C. Lafayette  
Come of State of Ark for  
for the S. P. of

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of *Cherokee* Nation, Ind. Ter.

GENTLEMEN:—The undersigned, your petitioner, this day makes this *Cherokee* Application for citizenship in the *Cherokee* Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this *Cherokee* Application to wit:

That *Thomas Applewhite* is the *Sons and Daughters* of one *Thomas V. Berryhill* who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this *Cherokee* Application for *Cherokee* Citizenship by blood, and respectfully waits the time when *our* *Several* Application shall be truly heard and tried. Respectfully submitted.

Age *36* *stated* years; Postoffice *Leeds Alabama*

Family, with their relationship attached is as follows:

| NO. | NAME.              | SEX.   | AGE | RELATIONSHIP.                |
|-----|--------------------|--------|-----|------------------------------|
| 1   | Martha J. Berry    | Female | 50  | 1/8 Cherokee Indian by blood |
| 2   | W. E. C. Berry     | Male   | 20  | 1/16 " " " "                 |
| 3   | Josiah T. L. Berry | "      | 18  | " " " "                      |
| 4   | Lucilia J. Berry   | Female | 16  | " " " "                      |
| 5   | Arthur L. Berry    | Male   | 15  | " " " "                      |

In witness of which Application, I hereunto set my hand, on this, the *29* day of *Aug* 189 *6*  
Subscribed and sworn to before me this *29* day of *Aug* 189 *6*  
JOSEPH P. BYERS, Attorney. *John Berryhill*  
*Mose W. Lafayette*  
*Com of state of ind for*  
*The Cherokee*

Enfaula Indian  
Creek Nation } Territory

Before me the undersigned

Personally appeared Nathan Berryhill  
Who after being by me duly sworn  
States that he is 66 years of age and  
is a citizen of the Cree or Muscogee  
Nation I.T. Who is a regular recognized  
and acknowledged Creek Indian by Blood  
and. Affiant further States that he is  
personally acquainted with John Berry-  
hill Robert Berryhill Mary  
Elizabeth Hendricks Martha Jane  
Barr Who is Sons and Daughters of  
one Thomas N. Berryhill whom I  
have known ever since their births  
and know them to be of  $\frac{1}{8}$  Creek  
Indian Blood Thomas N. Berryhill  
Being an own Brother of myself  
who as is already established as  $\frac{1}{4}$   
Creek Indian or Muscogee Blood  
Affiant further States that he has  
known John Berryhill Robert  
Berryhill and Martha Jane Barr  
Mary Elizabeth Hendricks ever

chicotah

2

Since their Births and Knows that  
they have been recognized and treated  
by all their neighbors acquaintances  
and the public generally as persons  
having  $\frac{1}{8}$  Indian Blood and that  
the complexion and physical appear-  
ance of the said John Berryhill  
Robert Berryhill Martha Jane Barr  
Mary Elizabeth Hendricks is of  
Indian Blood That from the above  
facts known to me personally  
Affiant further states that he does  
know of his own knowledge that  
John Berryhill Robert Berryhill  
Martha Jane Barr and Mary  
Elizabeth Hendricks is of the  
Creek or Muskogee Indian Blood  
Nathaniel Berryhill

Subscribed & sworn to before  
Me this 29 day of August 1896  
Wm W Lutzette  
Clerk of State of Ark  
for the S. I.



Emasaka } Indian  
Creek Nation } Territory

Before me the undersigned John J. Wills  
who by me <sup>being</sup> duly sworn states that he  
is 33 years old and is recognized as a  
Chicotat <sup>being</sup> of the Creek Tribe of Indians of  
in the above Nation and that he is  
personally acquainted with John Berry-  
hill Robert Berryhill who is an applicant  
for citizenship in the Creek Nation. J. J.  
and affiant further states that the said  
John and Robert Berryhill is the  
identical persons that they represents  
themselves to be in this application  
for citizenship in said Nation and  
that said John and Robert Berryhill  
is sons of Thomas N. Berryhill who  
was a son of William Berryhill  
who was a 1/2 half Blood Indian of  
the Creek Tribe the Mother of  
William Berryhill was a full Blood  
Indian. Now this this man William  
Berryhill a half Blood Indian was  
the grand Father of John and Robert  
Berryhill the applicants for citizenship  
in the Creek Indian Nation  
Affiant further states that he has



Known the Said John and Robert  
Berryhill for the past 25 years and  
know that they have been recognized  
and treated by all the neighbors  
acquaintances and the Public generally  
as persons having  $\frac{1}{8}$  Indian Blood  
and that the complexion and physical  
appearance of the Said John and Robert  
Berryhill indicate that the Said John  
and Robert Berryhill is of Indian Blood  
and from facts known to me that I  
know them to be of the Creek Indian  
Blood That from the above facts and  
circumstances and statements made  
to me by my Ancestors I do know  
them to be of the Creek Indian  
Blood and by my Mother being a  
sister of Thomas W. Berryhill and an  
own aunt to John and Robert  
Berryhill By Blood makes the Said  
John and Robert Berryhill my own  
Cousins by Blood.

John F. Wells

Subscribed & sworn to before me  
this 29<sup>th</sup> Day of August 1896  
at Choctaw, La.

Mose W. Lafayette  
Clerk of State of La. for  
The L.P.

# AFFIDAVIT OF WITNESS.

STATE OF Alabama  
COUNTY OF Randolph ss.

BEFORE ME, the undersigned, a ~~Notary Public~~ <sup>Magistrate</sup>, in and for the county and state aforesaid personally appeared D. A. Perryman who after being by me duly sworn states that he is 48 years of age, and is a citizen of Randolph County and State of Alabama and that he is personally acquainted with John Breyhill

Who is an applicant for citizenship in the Creek Nation, I. T., and affiant further states that the said John Breyhill is the identical person that he represents him self to be in this application for citizenship in said Nation and that said

John Breyhill is a son of one Thomas A. Breyhill - who was a son of one William Breyhill - who was a half blood Indian of the Creek tribe. My understanding has been from the mother - the William was a full blood Indian son

This man William Breyhill a half blood Indian was the grand father of John Breyhill The applicant for citizenship in the Creek Nation

Affiant further states that he has known the said John Breyhill in early years and up to late for the past years and knows that he has been recognized and treated by all his

neighbors, acquaintances and the public generally as a person having 1/8 Indian blood

and that the complexion and physical appearance of the said John Breyhill indicate that the said John Breyhill is of Indian blood. That from the above facts and

circumstances and from statements made to me by the said William Breyhill Grand father of John Breyhill Affiant states he has every reason to believe and does believe that the said John Breyhill is of the Creek Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said John Breyhill citizenship in the Creek Indian Nation, I. T.

D. A. Perryman of  
Randolph County, Alabama

Subscribed and sworn to before me this 1st day of October A. D., 1894  
and I further certify that I am well acquainted with the said D. A. Perryman  
and know him to be a person of credibility and of truth and veracity.

My Commission Expires on the 1st day of November 1898  
J. J. Deather's Magistrate  
Notary Public

JOSEPH P. BYERS, Attorney at Law.

J. M. CAIN, Printer, Ft. Smith, Ark.

POOR ORIGINAL -  
BEST AVAILABLE COPY

# AFFIDAVIT OF WITNESS.

STATE OF Georgia } ss.  
COUNTY OF Shelby

BEFORE ME, THE undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared William Wilson who, after being by me

adversely sworn, states that he is 36 years of age, and is a citizen of Shelby

County and State of Alabama and that he is personally acquainted with

Mary Elizabeth Henderson

Who is an applicant for citizenship in the Creek Nation, I. T., and affiant further states

that the said Mary Elizabeth Henderson is the identical person she represents her

self to be in the application for citizenship in said Nation, and that the said

Mary Elizabeth Henderson is one eighth Indian

Indian and her mother is one eighth Indian

Indian and her father is one eighth Indian

Indian and her mother is one eighth Indian

Indian and her father is one eighth Indian

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Indian and her mother is one eighth Indian

Indian and her father is one eighth Indian





# AFFIDAVIT OF WITNESS.

STATE OF Alabama  
COUNTY OF Randolph } ss.

BEFORE ME, THE undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Harmon R Gay who, after being by me duly sworn, states that he is 59 years of age, and is a citizen of Randolph County and State of Alabama and that he is personally acquainted with John Berryhill Thomas Berryhill and William Berryhill Who is an applicant for citizenship in the Creek Nation, I. T., and affiant further states that the said he is the identical person as represents himself

himself to be in his application for citizenship in said Nation, and that the said John Berryhill is one of eight sons of Thomas Berryhill and he now lives in the same place as his father and the other sons of Thomas Berryhill and he has a copy of the same Indian blood as his father and the other sons of Thomas Berryhill

Affiant further states that he has known the said John Berryhill for the past 40 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Indian blood and that the complexion and physical appearance of the said John Berryhill indicate that the said John Berryhill is of Indian blood. That from the above facts and circumstances and from statements made to him by the said John Berryhill Affiant states he has every reason to believe and does believe that the said John Berryhill is of Creek Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Berryhill to citizenship in the Creek Nation, I. T.

Subscribed and sworn to before me this 2<sup>nd</sup> day of October A. D. 1894  
and I further certify that I am well acquainted with the said Harmon R Gay  
and know him to be a person of credibility and of truth and veracity.  
W. R. Rowland Notary Public.  
My Commission Expires on the 18<sup>th</sup> day of October 1896

JOSEPH P. BYERS. Attorney at Law.



No. 2074  
85

John Berryhill  
vs.  
Creek Nation

Filed 58 Sept 1896  
H M J. J. J. J. J.  
C. H.

By

W. J. Wolfenbarger  
Atty  
H. Smith, Jr.



**End**

1896

CR 41

1896  
CR 41

327

No. 41

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

J. O. Berzhan Et al

VS.

Oriskany

Nation.

Received and filed this

day of

189

Secretary.

BRISTOL JOB PRINT PORT SMITH



..... vs. .... Nation, as follows:

[illegible]

WITNESS my hand and official seal at Wuecoque  
this the 26 day of January 1897  
Geo. A. Winston  
Clerk.

No 41

J. D. Benyhill Etal

vs.

Quark Nation

Order of Appeal

N.S. Court

727  
**NOTICE.**

**United States of America,**  
**INDIAN TERRITORY,**  
**NORTHERN DISTRICT.**

SS.

In the United States Court for said District.  
In the matter of the application of  
**J C Berryhill et als** to be  
enrolled as citizens of the **Creek** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of  
**J. C. Berryhill, T. D. Berryhill, Mollie Nondack and W. R. Berryhill**

to be enrolled as citizens of the **Creek** Nation, from said  
**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested  
by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a  
transcript of all the entries made in the docket of your tribunal relating to the case, together with the  
depositions and testimony taken before said tribunal; the decision thereof on the application, and all original  
papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **18th** day of  
**Jan. 1897.** A.D. 189

*W. M. Springer*  
Clerk.

**End**

1896  
CR 42

1896  
CR 42



No. 45

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Samuel P. Berry Etal*

VS.

*Grant*

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR THE SECRETARY OF THE WAR DEPARTMENT

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of

..... vs. .... Nation, as follows:

|       |  |
|-------|--|
| ..... |  |
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WITNESS my hand and official seal at *Muscogee*  
this the *26<sup>th</sup>* day of *January* 189*7*  
*Jas. A. Winston*  
*Clerk*

No 42-

Sarah B. Berry Etal  
vs.  
Great Nation  
Order of Appeal

# 219

## NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

In the United States Court for said District.  
In the matter of the application of  
Sarah P. Berry et al to be  
enrolled as citizens of the Creek Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Sarah P. Berry et als

to be enrolled as citizens of the Creek Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 18th day of January, 1897.

A.D. 189

J. A. Benson Clerk.

**End**



1896  
CR 43

1896  
CR 43

PLICATION FOR CITIZENSHIP.

National Council of Muscogee (or Creek) Nation, Ind. Ter.:  
The undersigned, your petitioner, this day makes this ..... Application for  
Muscogee (or Creek) Nation, in the Indian Territory, in accordance with the Constitution  
Nation, and respectfully makes the following statement of the grounds of this. His .....

John Berry Hill is the Decendant  
Berry Hill who the undersigned fully believes was an Indian belonging to said tribe.  
 I hereby presents the above facts as the lawful grounds for this... his ...Applica-  
 tion for ~~Citizenship~~ Citizenship by blood, and respectfully awaits the time when... his ...  
 be truly heard and tried. Respectfully submitted.

... years, Postoffice... Thomas Pinal County Texas

| NAMES.          | SEX. | AGE. | RELATIONSHIP. |
|-----------------|------|------|---------------|
| My Wife         | m    | 49   | Husband       |
| Berry Hill      | f m  | 47   | Wife          |
| Ed. (Grand Son) | m    | 13   | Grand Son     |

ch Application, I hereunto set my hand, on this the 22<sup>nd</sup> day of Dec 1893

orn to before me this.....22.....day of.....December.....1893

ley.

W.R. Anderson Clerk  
Dist Court. Panola Co. Tex.  
Witness the Seal of Said Court

POOR ORIGINAL -  
BEST AVAILABLE COPY

AFFIDAVIT OF WITNESS.

STATE OF Texas  
COUNTY OF Shelby } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the county and state  
aforesaid personally appeared G. M. Trammell who after being  
by me duly sworn states that he is 56 years of age, and is a citizen of  
Shelby County and State of Texas and that he is  
personally acquainted with John Berryhill  
Who is an applicant for citizenship in the Creek Nation, I. T., and affiant  
further states that the said Berryhill is the identical person he represents  
him self to be in making application for citizenship in said Nation and  
that the said John Berryhill is now a  
Citizen of Pecos County Tex.

Affiant further states that he has known the said John Berryhill  
for the past 30 years and knows that he has always understood and believed  
him and has been recognized and treated by  
neighbors, acquaintances and the public generally as a person having  
Indian blood, and that the complexion and physical appearance of the said John  
Berryhill indicate that the said John Berryhill is of Indian  
blood. That from the above facts and circumstances and from statements made to me by the  
said John Berryhill Affiant states he has every reason to believe  
that the said Berryhill is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the  
said Berryhill to citizenship in the Creek Nation, I. T.

Subscribed and sworn to before me this 6 day of January A. D., 1894 and I  
further certify that I am well acquainted with the said G. M. Trammell  
and know him to be a person of credibility and of truth and veracity.

My Commission Expires on the 1st day of December 1894  
Joseph P. Byers, Attorney at law.

TEMPLO JOB PRINT, FT. SMITH.

## AFFIDAVIT OF WITNESS.

STATE OF Texas  
COUNTY OF Wichita } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared J. H. Lusk who after being by me duly sworn states that he is 41 years of age, and is a citizen of Marola County and State of Texas and that he is personally acquainted with John Berryhill Who is an applicant for citizenship in the Creek Nation, I. T., and affiant further states that the said Berryhill is the identical person he represents him self to be in Indian application for citizenship in said Nation and that the said John Berryhill is born a citizen of Marola County Texas

Affiant further states that he has known the said John Berryhill for the past 40 years and knows that he is and has been recognized and treated by neighbors, acquaintances and the public generally as a person having Indian blood, and that the complexion and physical appearance of the said John Berryhill indicate that the said John Berryhill is of Indian blood. That from the above facts and circumstances and from statements made to me by the said John Berryhill Affiant states he has every reason to believe that the said Berryhill is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said John Berryhill to citizenship in the Creek Nation, I. T.  
J. H. Lusk

Subscribed and sworn to before me this 14 day of Jan A. D., 1894 and I further certify that I am well acquainted with the said J. H. Lusk and know him to be a person of credibility and of truth and veracity.

Notary Public.  
My Commission Expires on 1st day of Dec 1894

Joseph P. Byers, Attorney at Law.

◆TEMPO JOB PRINT, FT. SMITH.◆



APPROPRIATE RETURN TO  
JOSEPH P. BYERS..  
ATTORNEY AT LAW  
FORT SMITH, ARK.

PRACTICES IN THE FEDERAL AND STATE COURTS, AND  
ALL COURTS IN THE INDIAN TERRITORY

FILED SEPT. 8 1881

A. S. LICKENROTH

COM 'R-1

Chick Nation

6204 173

of John Perry Hill  
Harris  
Texas.



**End**

1896  
CR 44

1896  
CR 44

No. *44*

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Thaddeus Berryhill Et al*

VS.

*Govt*

Nation.

Received and filed this..

day of

189.

Secretary.

RECEIVED JOB PRINT PORT SMITH

vs. \_\_\_\_\_ Nation, as follows:

[illegible]

WITNESS my hand and official seal at Muscogee  
this the 26<sup>th</sup> day of January 1897  
Jas. A. Winston  
Clerk

No 44

Mary Ann Smith  
vs Et al  
Creek Nation

Order of Appeal  
N.S. Court

See Hudson  
Bemphill  
Case



n  
n  
n

NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.  
In the matter of the application of  
Mary Ann Snider et al to be  
enrolled as citizens of the Creek Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

Mary Ann Snider for herself and children and Theodore Berryhill for him-  
self and children

Creek

to be enrolled as citizens of the Commission Nation, from said

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested  
by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a  
transcript of all the entries made in the docket of your tribunal relating to the case, together with the  
depositions and testimony taken before said tribunal; the decision thereof on the application, and all original  
papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 19th day of  
Jan. 1897. A.D. 189

*William M. Springer* Clerk.

**End**

1896  
CR 45

1896  
CR 45

No. 45

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Walter Berryhill & Co*

vs.

*Creek*

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED JOB PRINT FORT SMITH

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WITNESS my hand and official seal at Minneapolis  
this the 29<sup>th</sup> day of January 1897  
Geo. P. Winston  
Clark



No 48

H. A. Berryhill & Co  
vs.

Creek Station  
Order of Appeal

## NOTICE.

278

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

SS.

In the United States Court for said District.

In the matter of the application of **W A Berryhill et als** to be

enrolled as citizens of the **Creek** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**W A Berryhill et als**

**Creek**

to be enrolled as citizens of the Nation, from said

### **Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the **22nd** day of **Jan. 1897.** A.D. 189.....

Clerk.

**End**

1896  
CR 46

1896  
CR 46

No. *46*

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*S. W. Perryhill & Co.*

VS.

*Emt*

Nation.

Received and filed this

day of

189

Secretary.

SEVENTH JOB PRINT POST SMITH.



vs. .... Nation, as follows:

No 45

E. A. Berryhill & Co

vs.

Creek Nation

Order of Appeal

U.S. Court

NOTICE.

225

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.  
In the matter of the application of  
**S N Berryhill et als** to be  
enrolled as citizens of the **Creek** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**S. N. Berryhill, J. M. Berryhill,**

to be enrolled as citizens of the **Creek** Nation, from said

**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **18th** day of  
**Jan. 1897.** A. D. 189

*William M. Springer* Clerk.

**End**

1896  
CR 47

1896  
CR 47



No. 47

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*M. J. Barry Hill & Hall*

VS.

*Oriskany*

Nation.

Received and filed this

day of

189

Secretary.

SEALATOR JOB PRINT POST SMITH

vs. Nation, as follows:

.vs.

...Nation, as follows:

WITNESS my hand and official seal at..

this the 26 day of

189 ✓

Muscogee  
January 1897  
Jas. A. Winston  
Clerk

No 47

M. J. Perryhill Et al

vs.

Breck Nation

Order of Appeal  
in S. Court

## NOTICE.

226

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.

In the matter of the application of  
**M J Berryhill et als** to be  
enrolled as citizens of the **Creek** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of  
**M. J . Berryhill, W. D. Berryhill**

**Creek**

to be enrolled as citizens of the **Commission** Nation, from said

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **18th** day of  
**Jan, 1897.** A.D. 189

*J. Allerton* Clerk.

**End**



1896  
CR 48

1896  
CR 48

)

No. 48-

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*G. W. Berryhill Et al.*

VS.

*Critt*

Nation.

Received and filed this

day of

189

Secretary.

SEWATER JOB PRINT PORT SAUND.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of  
..... vs. .... Nation, as follows:

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WITNESS my hand and official seal at Muscogee  
this the 29<sup>th</sup> day of January 1897  
Geo. A. Winston  
Clerk

No 48

G. M. Berryhill & Co  
vs.

Green Station

Order of Appeal

## NOTICE.

279

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.

In the matter of the application of  
**G W Berryhill et als** to be  
enrolled as citizens of the **Creek** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**G. W. Berryhill et als**

to be enrolled as citizens of the **Creek** Nation, from said  
**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **22nd** day of  
**Jan.** 1897. A.D. 189

Clerk.



**End**

1896  
CR 49

1896  
CR 49

COMMISSIONERS.  
HENRY L. DAWES.  
FRANK C. ARMSTRONG.  
ARCHIBALD S. MCKENNON.  
THOMAS B. CAGANISS.  
ALEXANDER B. MONTGOMERY.  
H. M. JACOWAY, SECRETARY.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, Ind. T.,

10/27/96.

Hon. Gen. J. D. Duval,  
Fort Smith, Ark.

Dear Col.:

Your 25<sup>th</sup> inst. is just received, enclosing answer as stated. We note what you as to Butler heirs, and will be governed by any election they may make. Thanks for the law of 1890. They have not yet come to hand, but will do so.

Genl Armstrong went home Sunday and Caganiss & Montgomery yesterday. I will run down home Sunday and return Tuesday.

With kind regards, I am

Yours friend  
A. S. McKennon

Mannie G. Butler

Tookah Turner

Sarah E. Sanders

The Czech Nation

Defendants  
answer.

BEFORE THE DAWES COMMISSION, VINITA, I. T.

Mannie G. Butler )  
Tookah Turner, ) Plaintiffs  
Sarah E. Sanders )

V S .

A N S W E R .

The Creek Nation. ) Defendant.

The defendant for answer says:

That the father of the Plaintiff was a native Cherokee Indian, and was an adopted citizen of the defendant Nation; that the said Mannie G. Butler, Tookah Turner and Sarah E. Sanders have been enrolled as citizens of the Cherokee Nation as this defendant is informed and believes and that the said Mannie G. Butler resides in the Cherokee Nation and has held office under the Government thereof.

That said plaintiffs are not entitled to be enrolled as citizens of both the Creek and Cherokee Nations at the same time they not having blood of both tribes in their veins.

S. B. Callahan.

Bunnie McIntosh.

The foregoing is substantially the answer I enclosed in a letter Dated Fort Smith Ark., Oct., 25, 1896, and addressed to Hon. A. S. McKennon the receipt of which is acknowledged in the letter hereto annexed. The record shows there was no answer filed which is a mistake and the defendants counsel asks that it may be corrected.

Dec 1. 1896

Ben J. DuVal

att'y for Cherokee  
Nation.





Application for Enrollment.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. Mc Ken-  
non, Thomas B. Cabaniss and Alexander B. Montgomery, United States Com-  
missioners, authorized by an act of Congress of June 4th, 1898, to hear  
and determine claims for citizenship in the Creek Nation;

Gentlemen:

The undersigned, your petitioner, Sarah E. Sanders, on behalf  
of herself and heirs, this day makes her application to you for the  
purpose of being placed on the revised roll of Creek Indians and those  
entitled to share in the distribution of the funds and allotments of  
lands and all other tribal interests in the Creek Nation by virtue of  
their Creek citizenship, and Petitioner states that she is Creek Indian  
by adoption, deriving the same from the adoption of her father, Edward  
Butler and heirs into the Creek tribe of Indians, whose name will be  
found on the authenticated rolls of the Creek Nation, taken in the year  
1888. Said rolls of 1888 being duly authenticated by the Creek Council,  
approved by the Creek Chiefs, and also by the U. S. Government and per  
capita payment made therefrom, the same to be submitted to your Honorable  
Commission for a full and complete investigation, and if found correct  
as stated, to be granted all the rights, privileges and immunities of  
other Creek citizens, and petitioner herewith files her proof in support  
of said claim, and respectfully awaits the time when her application shall  
be heard and tried.

Respectfully Submitted.

Sarah E. Sanders  
Enrollment of family, with relationship attached as follows:

|                     |         |           |
|---------------------|---------|-----------|
| Sarah E. Sanders,   | age 38. | Mother.   |
| Nina Porter,        | age 17. | Daughter. |
| Edward B. Porter,   | age 18. | Son.      |
| Ben E. Porter,      | age 13. | Son.      |
| Edna Sanders,       | age 9.  | Daughter. |
| Elizabeth Sanders,  | age 7.  | Daughter. |
| Mud Sanders,        | age 4.  | Daughter. |
| Millard S. Sanders, | age 1.  | Son.      |

In Witness Whereof I hereunto set my hand this 4th  
day of September 1898.

Sarah E. Sanders

United States of America,  
Indian Territory,  
Northern District. }

B. C. Belcher

of lawful age being duly sworn states that he knows the facts set forth  
in the above and foregoing application and that the same are true as his  
verily believes.

B. C. Belcher

Subscribed and sworn to before me on this the 7th day of Sept  
1898.

Frederick A. Parkinson  
Notary Public.

My Commission expires Feb 28 1900

Application for Enrollment.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald. S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4<sup>th</sup>, 1898, to hear and determine claims for citizenship in the Creek Nation:

Gentlemen:

The undersigned, your petitioner, Manny G. Butler, for and on behalf of himself and heirs, this day makes his application to you for the purpose of being placed on the revised roll of Creek Indians and of those entitled to share in the distribution of the funds and allotments of lands and all other tribal interests in the Creek Nation by virtue of their Creek citizenship, and Petitioner states that he is a Creek Indian by adoption, deriving the same from the adoption of his father, Edward Butler and heirs into the Creek tribe of Indians, whose name will be found on the authenticated rolls of the Creek Nation, taken in the year 1886, said rolls of 1886 being duly authenticated by the Creek Council, Approved by the Creek Chiefs, and also by the U. S. Government and per capita payment made therefrom, the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Creek citizens, and petitioner herewith files his proof in support of said claim, and respectfully awaits the time when his application shall be heard and tried.

Respectfully Submitted,

Manny G. Butler

Enrollment of family, with relationship attached,  
as follows:

|                  |         |           |
|------------------|---------|-----------|
| Manny G. Butler, | age 36. | Father.   |
| Lizzie Butler,   | age 14. | Daughter. |
| Fount G. Butler, | age 10. | Son.      |

IN WITNESS WHEREOF sd hereunto set my hand this  
day of September 1898.

Manny G. Butler

United States of America, )  
Indian Territory, )  
Northern District )

Edw. Butler

of lawful age being duly sworn states that he knows the facts set forth  
in the above and foregoing application and that the same are true as his  
verily believes.

E. G. Belcher

Subscribed and sworn to before me on this the 7 day of Sept 1898

My Commission expires

Feb. 28 1899  
Thos. H. Perkins  
Notary Public.





Application for Enrollment.

To the Honorable Henry L. Daves, Frank C. Armstrong, Archibald S. McKennon Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4th, 1898, to hear and determine claims for citizenship in the Creek Nation.

Gentlemen:

The undersigned, your petitioner, Tookah Turner, on behalf of herself and herself and heirs, this day makes her application to you for the purpose of being placed on the revised roll of Creek Indians and of those entitled to share in the distribution of the funds and allotments of lands and all other tribal interests in the Creek Nation by virtue of their Creek citizenship, and Petitioner states that she is a Creek Indian by adoption, deriving the same from the adoption of her father, Edward Butler and heirs into the Creek tribe of Indians, whose name will be found on the authenticated rolls of the Creek Nation, taken in the year 1886, said rolls of 1886 being duly authenticated by the Creek Council, approved by the Creek Chiefs, and also by the U. S. Government and per capita payment made therefrom, the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Creek citizens, and petitioner herewith files her proof in support of said claim, and respectfully awaits the time when her application shall be heard and tried.

Respectfully submitted.

Tookah Turner

Enrollment of family, with relationship attached, as follows:

|                    |         |           |
|--------------------|---------|-----------|
| Tookah Turner,     | age 34. | Mother.   |
| Tookah Turner, Jr  | age 11. | Daughter. |
| Clarence Turner Jr | age 7.  | Son.      |
| Marion Turner,     | age 1.  | Daughter. |

IN WITNESS WHEREOF I hereunto set my hand this 7<sup>th</sup> day of September 1898. Tookah Turner

United States of America, }  
Indian Territory, }  
Northern District. }

W. E. Gentry

of lawful age being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as his verily believes.

W. E. Gentry

Subscribed and sworn to before me on this the 7<sup>th</sup> day of Sept 1898.

J. D. Dill

Notary Public.

My Commission expires Aug 1/98



John McIntosh, after having been duly sworn, testified as follows:

Q. What is your name?

A. John McIntosh.

Q. Where do you live?

A. I live in the Creek Nation, Coweta District.

Q. When were you born?

A. In 1825

Q. Are you a citizen of the Creek Nation?

A. Yes sir?

Q. How long have you resided in the Creek Nation.

A. I was bred and born in the Old Creek Nation and ~~migr~~ migrated to this Nation with other Creeks in the year 1827 and have lived here ever since that time.

Q. What town do you belong to?

A. I belong to the Broken Arrow town and am a son of the ex-Creek Chief, Roley McIntosh.

Q. Were you acquainted with Edward Butler?

A. Yes sir.

Q. How long did you know Mr Butler?

A. I knew him from a boy.

Q. Was he a Creek Citizen?

A. He was a Cherokee Citizen by blood but was made a Creek Citizen by the ordinary custom of the Creek People, namely, adoption and belonged to the Coweta town before the war a number of years

Q. Did he hold office under the Creek Government?

A. Yes sir, Captain of the Creek Light Horsemen before the war.

Q. Was he on the Coweta roll

A. Yes sir.

Q. When did Edward Butler die

A. He died about two years after the war near Eufaula in the Creek Nation

Q. Did he have any Children?

A. Yes sir, but I dont know how many

Q. Did any persons other than those who were recognized as Creek citizens hold office under the Creek Government?

A. No sir.

*John X M McIntosh*  
Mark

I hereby certify that the above is a true and correct translation of the deposition of John McIntosh.

*Pleasant Porter*  
Interpreter.

Subscribed and sworn to before me this 15th day of Aug. 1896.

*J. H. Dill*  
Notary Public.

P.Porter, being first duly sworn testified as follows:

Q. What is your name:

A. P.Porter

Q. Where do you live?

A. Muskogee, Creek Nation, I.T.

Q. Are you a citizen of the Creek Nation.

A. Yessir, born a Creek Citizen,-lived here all my life.

Q. What is your age?

A. 55 years.

Q. Are you now and have you been familiar with the Creek Government since 1856

A. Yes sir, I have

Q. Have you ever held office under the Creek Government?

A. Yes sir,- held office of Superintendent Public schools, member House of Warriors and member and presiding officer of the House of Kings and have been delegate to Washington 15 times

Q. Were you personally acquainted with Mr Edward Butler?

A. I was, from boyhood.

Q. Was he a citizen of the Creek Nation.

A. Yes sir.

Q. Upon what do you base your information in this respect

A. I know that he was recognized as a citizen before the war and counted as a member of the Creek Nation in the Coweta town,--that he held office, that of Captain of the Light horse and I know that no

person could hold office other than a citizen

Q. Did you ever make a roll of the Creek Citizens?

A. Yes sir, just after the war a payment was made in 1866 and the government had to take a census of the Creek people and I was employed by U.S. Agent Dunn to make that roll.

Q. Was Mr Butler's name upon this roll?

A. It was upon the roll and approved by the Chiefs and authorities of the Creek Nation and he and his family participated in the benefits of that payment.

Q. Do you know his family?

A. Yes sir.

Q. Of what did it consist?

A. He was married before the war and had four children, viz., Sarah, Mannie, Tookah or Clara and Robert, who are still living and residing three of them in the Creek Nation and one in the Cherokee Nation

Q. Are these children married, if so to whom,-

A. Sarah was married to Benj. E. Porter and after his death married John Sanders and Tookah or Clara married C. W. Turner.

Q. Have these children been upon the rolls ~~of~~ of the Creek Nation?

A. Yes sir, they have been upon the rolls from infancy and have benefitted from every payment

Q. Do you consider that there is any doubt as to their citizenship

A. No sir, none whatever, they are bona fide citizens of the Creek Nation.

Subscribed and sworn to before me this the 15th day of August, 1896

*R. Porter*  
*J. H. Hill*  
Notary Public.

Wm. Robison, after having been duly sworn testified as

follows:

Q. What is your name?

A. Wm. Robison.

Q. What is your age?

A. 64 years.

Q. Where do you live?

A. I live in Coweta District, Creek Nation.

Q. How long have you lived there?

A. I was bred and born there.

Q. Are you a citizen of the Creek Nation?

A. Yes sir.

Q. Did you know Edward Butler during his lifetime?

A. Yes sir.

Q. How long did you know Mr Butler?

A. I knew him thirtyfive years ago and from that time up to the time of his death in 1867.

Q. Was Mr Butler a Creek Citizen?

A. Yes sir, that was always my understanding.

Q. Did he hold office under the Creek Government, -if so what office?

A. Yes sir, -Captain of the Light Horse.

Q. Who was entitled to hold office under the Creek Government?

A. Citizens of the Creek Nation only

Q. Did you hold office under the Creek Government

A. Yes sir.

Q. What office.?



A. Tax Collector, Member of the House Of Warriors, Member House of Kings, District Judge, Superintendent Indian Schools and Interpreter for the Creek Nation

Q. Did you know Edward Butler personally through all these years up to the time of his death

A. Yes sir.

Q. Did you know Mr Butler during the war?

A. Yes sir,- he commanded a company in my Confederate regiment during the war.

Q. What time did Mr Butler die?

A. In 1867

Q. Did he to your certain knowledge have any children?

A. Yessir,

Q. Do you know how many?

A. Yes sir,-2 girls and 2 boys.

Q. What are their names?

A. Sarah, Mannie, Robert and Tookah or Clara.

Q. Are these children still living?

A. Yes sir.

Q. Are they married or single and if married state to whom.

A. Sarah was first married to Benj.E.Porter, by whom she has three children, one girl and two boys. After the death of Mr Porter she was married to John Sanders, by whom she has three or more children. Tookah or Clara was married to C.W.Turner, by whom she has three children,viz: Tookah, Clarence and May.

Q. Where do these children of Edward Butler reside.?

A. Three of them reside in the Creek Nation and one of them in the Cherokee Nation.

Q. Do these children to your certain knowledge share all the rights of Creek citizens and have they always done so?

A. Yes sir

Q. Are they sharing these rights at the present time?

A. Yes sir, it has always been conceded that they were Creek citizens

Q. Were they educated in the Creek Schools?

A. Yes sir and have drawn from the per capita payments as Creeks ever since such payments were commenced

Q. Have their rights ever been disputed as Creek Citizens?

A. I have recently heard that their names have been scratched from the rolls that are now being prepared.

*Wm. Robison*

I hereby certify that the above is a true and correct translation of the deposition of Wm. Robison.

\_\_\_\_\_  
Interpreter.

Subscribed and sworn to before me this the 15th day of August, 1896

*J. H. Dill*  
\_\_\_\_\_  
Notary Public.

### Statement of N. B. Moore

My name is N. B. Moore citizen of the Creek Nation. I am 68 years of age emigrated from the old Creek Nation am a Creek Indian by blood and have always been on the Creek Rolls.

I have held every office under the Creek Government except Principal and second chief. I was acquainted with Edward Butler. I first became acquainted with him before the war during the fifties sometime. He was Captain of the Light Horse Company of Arkansas District and I ~~was~~ served under him before the war.

He was a citizen of the Creek Nation by adoption being a Cherokee by blood. He was enrolled on the rolls of the Cometa Town before the war.

He had a family of four children Sarah, Manny, Toolah, & Robert. They and their children were born citizens of the Creek Nation and have always been enrolled as such. In 1891 while I was Treasurer of the Nation I paid them their per capita money as a roll certified by the National Council.

13 They all attended the public schools

as citizens of the Nation.

The foregoing statement are facts  
and for that reason I have always  
looked upon them as citizens of the  
Great Nation.

N.B. Moore

Subscribed & sworn to before me  
this 26<sup>th</sup> day of August 1896

Geo. H. Williams  
Notary Public



Statement of C. C. Belcher -

My name is Christopher Columbus Belcher. I am a citizen of the Creek Nation. I am 66 years old. I came to the Creek Nation in 1849. I am a citizen of the Creek Nation by adoption, having married into the Creek tribe of Indians. I have been on the Creek rolls since 1856. I have held office under the Creek Government as National Auditor. I first became acquainted with Edward Butler in 1849, and was personally acquainted with him up to the time of his death, which was in 1867 as well as I now remember. My understanding is and always has been, that he was a Cherokee Indian by blood, but was a Creek citizen by adoption, and held office as Captain of the Light Horse under the Creek Government in Arkansas District. This was some time ~~between~~ 1850 and 1860. The exact years covered by this service I am not now able to call to mind, and to the best of my knowledge, he was enrolled on the Creek rolls of the census taken in the Coweta Town, before the war. He had a family of four children - Sarah, Manny, Towner and Robert - all of whom I have known from their infancy. They and their children were all born citizens of the Creek Nation, and have always been enrolled as such. C. C. Belcher

Sworn & subscribed to before me this 7<sup>th</sup> day of Sep. 1896.  
Fred A. Pookinson  
Notary Public

My Commission Expires - Feb. 28 - 1897



Okmulgee, Ind. Ter. Sept. 7<sup>th</sup> 1896.

This is to certify that M. S. Butler has this day deposited with me certified copies of each of the three applications and ~~and~~ all testimony hereto attached to be served on the Executive of the Creek Nation and filed in the Executive Department which I will attend to either this P.m. or tomorrow 8<sup>th</sup>. As neither the Chief nor his Secretary are here to-day - their acknowledgements of service will be taken <sup>by me</sup> and forwarded to the Dawes Commission <sup>as directed.</sup> immediately upon their return.

C. C. Belcher, P. M.

Shown & submitted to before me this 7<sup>th</sup> day of Sept. 1896.

Theo. A. Perkins  
Notary Public

My term expires - Feby 28 - 1897

3429

Murray G. Butler

vs

Creek Nation

• 3 Applications see  
within back of each

Applicant + children  
granted citizenship

FILED SEPT. 8. 1896. ☆

☆ A. S. McKENNON ☆

☆ COM 'R' ☆

No answer to this  
case

Okamulgee  
2.7

BEN T. DUVAL  
ATTORNEY AT LAW  
OFFICE: OPERA HOUSE BUILDING  
Specialties:  
Commercial and Corporation Cases  
Patents Applied For

FORT SMITH, ARK.

Will Practice in U. S. Courts  
of Indian Territory

December, 1, 1896.

Hon. A. S. McKennon,

Dear Sir:-

I send your letter and answer substantially the same as the one enclosed to you in the letter. I am engaged this afternoon and can not call in person until late if at all. I want the record corrected so as to show "Answer filed".

Sincerely your friend,

*Ben T DuVal*  
*Atty for McKennon*  
*Nation*

Nannette Butler

2nd Nat Turkeys

ausmerist

Crack

making

household

in paper

Wood  
Barn  
Hand

city

How A. S.

79

Memorial Book  
of Great Men  
Greatest  
Crack  
making  
has been  
in paper  
How A. S. McKeen  
Grand Central Hotel  
City



**End**

1896

CR 50

1896  
CR 50

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No.

PETITION OF

*Sunday Brewer*

for and on behalf of

*himself*  
and heirs

*Harbord, Garland  
and Watts*

Attorney for Petitioner.

---

# APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, *Sauday Brewer* for and on behalf of *himself* and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of *Cherokee* Indians and of those entitled to share in the distribution of funds and allotments of land in *Cherokee* Nation, by virtue of their Cherokee blood, and I herewith submit the

*affidavits of Bulley Commar and Miss Annie Groves who are citizens of the Creek Nation*

in support of said claim, and respectfully await the time when *the* application shall be heard and tried. Respectfully Submitted,

*Sauday Brewer*  
*Cherokee*

Enrollment of family, with relationship attached, as follows:

| NAMES.               | AGE.      | RELATIONSHIP.   |
|----------------------|-----------|---|
| <i>Sauday Brewer</i> | <i>48</i> | <i>Sauday Brewer was the slave of</i>   |
| <i>Katie Brewer</i>  | <i>48</i> | <i>George Andrew afterwards sold to Katie Brewer both George Andrew and Katie Brewer were recognized Creek Indians and were so recognized</i> |

*Subscribed and*

In witness of which I hereunto set my hand on this *8* day *Sept* 1896  
*Subscribed & sworn to by Sauday Brewer before me on the 8th day of Sept 1896*  
*W. H. H. H. H.*

Indian Territory,

Creek Nation

At Wagoner on this the 8th day of Sept. 1896 personally came before me, W. J. Watts, a Notary Public, Sandy Brewer who on oath makes the following affidavit to wit: My name is Sandy Brewer, I am a freedman of the Creek Indians I was owned at the time of the war by a citizen of the Creek Nation, George Anderson, a Creek Indian, owned by another before the war. I was born and raised as the slave property of George Anderson. I was sold by my mother to Katie Brewer who was a Creek Indian woman, I was again sold and taken to Texas where I have remained until about four years ago. I now live in the Creek Nation and am entitled to be enrolled as a freedman of said Nation.

*Sandy Brewer*  
*Notary*

Witness to  
mark

*E. B. Cody*

Subscribed and  
sworn to before me on  
this 8th day of September 1896  
*W. J. Watts*  
Notary Public



Indian Territory,  
Creek Nation.

At Wagoner on this 8th day of September, 1896  
Personally came before me, W. J. Watts, a Notary Public in the  
Northern District of the Ind. Terr., Bully Jenner, a citizen of the Creek  
Nation and <sup>a</sup> Freed man, who on oath makes the following affidavit: "I am  
well and personally acquainted with Nancy Brewner the applicant for ~~citizenship~~  
residing in the <sup>Creek</sup> Nation. I have known him for thirty five  
or forty years, I was in 1861 before the war, he was a slave of Katie Brew-  
ner ~~a~~ a Creek woman. She lived at Can-Marty in the Creek Nation, in  
English the name of the place is Red Ground on the Arkansas River, he was  
was a slave of the said Katie Brewner during the war and was made free  
with all the other slaves.

The said Nancy Brewner after or during the war went to the ~~state~~  
state of Texas and has resided there for ~~four~~ four or five years, ~~and~~  
then returning to the Creek Nation.

The said Nancy Brewner was first married by George Anderson, a ~~Creek~~  
Indian, The said George Anderson has a daughter living at Muskogee,  
named Annie Andrews. She married a man by the name of Reeves, that  
~~she~~ <sup>they</sup> are recognized Creek citizens.

The above facts are true and correct to my personal know-  
ledge and belief.

witness to make } <sup>his</sup> Bully Jenner  
J. B. Leach } make

Subscribed and sworn to  
before me this Sept 8 1896  
W. J. Watts  
Notary

**F. B. SEEVERS,**  
— Dealer in —  
**Dry Goods, Clothing, Groceries,**  
And Merchandise of Every Description.  
Highest Market Price Paid For Live Stock.

Muskogee, I. T., Sept 1<sup>st</sup> 1896

To whom these presents may come

The Bearer

Sunday Brewer, belonged to my Father  
George Anderson of the Comancha Trib  
he was sold by my Father to Katy Brewer  
and she sold him to Howell Lewis, a  
Citizen of the U. S., States from  
Missouri. He was then taken to Missouri  
by the Santa Fe and kept there for 12 years  
was then taken to Texas from Missouri about  
the second year of the War and was  
kept there until the War closed and after  
the War closed he remained in Texas  
until about four years ago when he returned  
to the Creek Nation. He was born in the Creek  
Nation and was raised by my Father. George  
Anderson where he was born when he was taken  
out of the Creek Nation he was about 13 years  
old.

Amie A. Severs

B R I E F.

:--BEFORE. THE HONORABLE DAVES COMMISSION--:

In the claim for citizenship in the Creek Nation, of Sandy Brewner for himself.

We append the following statement concerning the life and history of the applicant. The said Sandy Brewner was repeatedly sold and bought as a slave before the civil war between states of the United States; and was once sold by his ~~mother~~ <sup>master</sup> to Kate Brewner, of the Creek Nation, and afterwards sold to one Lewis of Missouri, where he lived for a time, then going to Texas; but is now a ~~freeman~~ <sup>free</sup> man and lives in the Creek Nation, Indian Territory, whereof he asks to be made a citizen, and for proof he has hereto appended his own sworn statement, and the affidavits of Bulley Conner, all of which is herewith respectfully submitted.

Wherefore, we most respectfully ask, that that said Sandy Brewner, be admitted and enrolled as a citizen of the Creek Nation and for all other proper relief.

*Hubbard Green Mote*  
.....

Att,ys for Petitioner.

Indian Territory  
Northern Judicial District  
I, Chas E. Watts, do solemnly swear  
that - on the 9<sup>th</sup> day of September  
1896. I mailed a Registered package  
at the Post Office at Wagoner,  
Ind. Ter addressed to Sapotawke  
Chief of the Creek Nation, I.T. of -  
approximate I.T. That the  
- equity receipt - is no 153  
received from the Post Master  
herein attached is a receipt  
for said package which  
contained true copy of the original  
papers of Sandy Brewer.  
Chas E. Watts

Subscribed and sworn to before  
me on this 4<sup>th</sup> day of Sept 1896  
W. J. Watts  
Notary Public

POOR ORIGINAL -  
BEST AVAILABLE COPY



Indian Territory

Northern Judicial District

I, Chas. L. Watts, do solemnly swear  
that - on the 9<sup>th</sup> day of September  
1896. I mailed a Registered package  
at the Post Office at Wagoner,  
Ind. Ter addressed to Saporthorne  
Chief of the Creek Nation, I.T. of  
approximate I.T. That the  
registry receipt is no 153  
received from the Postmaster  
hereunto attached is a receipt  
for said package which  
contained true copy of the original  
papers of Sandy Brewer.  
Chas. L. Watts

Subscribed and sworn to before  
me on the 4<sup>th</sup> day of Sept 1896

W. J. Watts  
Notary Public



Witnessed and sealed  
this 23rd day of October

A. S. Johnston

Witnessed and sealed

this 23rd day of October in the 18th year of the life of the

above named party and the said party and the said party

of the said party

and the said party and the said party and the said party

and the said party and the said party and the said party

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and the said party and the said party and the said party

and the said party and the said party and the said party

A. S. Johnston

Witnessed and sealed  
this 23rd day of October in the 18th year of the life of the  
above named party and the said party and the said party

FILED OCT 23 1896  
A. S. JOHNSTON,  
COM R.

BEFORE THE DAWES COMMISSION, VINITA, INDIAN TERRITORY.

Sandy Bruner, for :  
himself and wife :-----Plaintiffs.  
Kate Bruner, :

VS. ( Answer.

The Creek Nation,-----Defendant.

The defendant for answer says: That the said applicant does not state facts in her said application which, if true, entitle her to citizenship and her said application should be dismissed.

2. The defendant farther answering, says: That the affidavit of the applicant and of his witnesses Pully Conner and Mrs. Annie A. Severs, show that he is a person of African descent, was the slave of Creek citizens living in the Creek Nation before the War and was taken to Texas and did not return to the Creek Nation until about four years ago.

3. *The defendant says this man came here to reside*  
*near to him & claimant this case*  
Wherefore the defendant says the said said applicant is not entitled to citizenship in this Nation or any of the rights and privileges thereof.

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bunny McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896  
Witness my hand and private seal not hanging an official seal  
*Ans. M. Rogers* *Ans. O*  
*W. A.*

*My Comm exp Oct-10<sup>th</sup> 1900*

REGISTRY RECEIPT.

Post Office at \_\_\_\_\_  
 Registered Letter No. *153* Rec'd *Sept 9th* 189*6*  
 of *W. J. Watts*  
 addressed to *Wagoner St.*  
*Isparheschen Chief Creek Natl*  
*Chumley St.*  
*Harry J. Pettes acting P. M.*

No. *486* *Clark Blain*  
 ORIGINAL APPLICATION OF  
*Sandy Brewer*  
 for Citizenship. Filled \_\_\_\_\_ day of \_\_\_\_\_  
 189*6*  
 HUBBARD, GARLAND & WATTS,  
 Attorneys for Applicant.

FILED SEPT. 8 1896.  
 A. S. MCKENNON  
 COM 'R'

*Rejected*

**End**

1896  
CR 51

1896  
CR 51



Personally appeared before me the undersigned authority, W. P.  
Seaver, who being by me first duly sworn upon his oath says that  
he did on this day deposit in the United States Post Office at  
Muscooges Ind. Ter. a sealed envelope containing true and correct  
copies of the Proof and Petition in the case of Mulle  
Burton Dal for citizenship in the Creek Nation of Indian  
addressed to Esparhecher, Chief of the Creek Nation, at Okmulgee  
Ind. Ter. with lawful postage paid thereon, and that Okmulgee I. T.  
is where the said Chief gets his mail.

W. P. Seaver

Sworn to and subscribed before me this September 8, 1896.

N. A. Gibson

Notary Public Northern Dist I. T.

E. B. CATTAPAN

SECTION OF THE ALPHABETIC INDEX

It is to be noted that the following are the only sections of the alphabet which are not included in the index.

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POOR ORIGINAL -  
BEST AVAILABLE COPY

Before the Dawes Commission, Vinita, Indian Territory.

*B. McIntosh*  
Millie ~~McIntosh~~-----Plaintiff.

VS. (Answer.

The Creek Nation,-----Defendant.

1 The defendant denies that the plaintiff returned to the Creek Country in August 1866 or in time to bring her within the provisions of the 2nd. Article of the Treaty of 1866.

*The Plaintiff*  
2 Defendant shows in her said petition that she did not apply to the authorities of this Nation for enrollment and voluntarily removed in 1869 to the State of Texas, and ~~has since that time~~ have been back and forth between ~~that~~ Texas and the Creek Nation and never heretofore made application for citizenship in this Nation

during this long period of time. *3. The defendant says that*

*the plaintiff has been in Texas for a long time and has never been in the Creek Nation since 1869.*  
Therefore the defendant says that the plaintiff by returning voluntarily to Texas without being enrolled as a citizen of this Nation under the provisions of of said Treaty abandoned his right if he had any and is not ~~entitled~~ entitled to citizenship in this Nation or any of the witnesses thereof.

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bunny McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October, 1896.

*Witness my hand and seal this 22<sup>nd</sup> day of October, 1896.*  
*Notary Public*  
*! Done Lxp Oct 10<sup>th</sup> 1902*

No. 3821  
In re application of  
Willie Burton et al for  
Citizenship in the Creek  
Nation & J.

U. S. DEPT. OF THE INTERIOR  
BUREAU OF INDIAN AFFAIRS  
WASHINGTON, D. C.  
Admitted application of  
Willie Burton and his  
child John Burton

W. F. Leavitt  
for Claimant.



To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Willie Burton, undersigned, respectfully states that he is a Creek Indian by blood, and asks to be enrolled as a member of the Creek Nation of Indians in the Indian Territory. That he derives his said Indian blood from Edward Scott, her father, who was a Creek Indian by blood.

her father was a Creek Indian by blood and his mother was a Creek slave & she came here in August 1866 and brought this claimant there in time to be here as required by treaty of 1866.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Creek Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Creek Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 65 years. My Post Office address is New Hope, Mo.  
My family consists of the following-named persons: My self & husband and children, as follows:  
Charles Burton (my husband), aged 61 years.  
Lincy Burton (my child), aged 4 years.  
\_\_\_\_\_, aged \_\_\_\_\_ years.  
\_\_\_\_\_, aged \_\_\_\_\_ years.  
\_\_\_\_\_, aged \_\_\_\_\_ years.  
\_\_\_\_\_, aged \_\_\_\_\_ years.  
\_\_\_\_\_, aged \_\_\_\_\_ years.  
\_\_\_\_\_, aged \_\_\_\_\_ years.

WITNESS my hand this 8<sup>th</sup> day of Sept, 1896.  
Willie Burton  
By her atty N. F. Lewis

Indian Territory } ss.  
Creek Nation

Personally appeared before me, the undersigned authority, Willie Burton to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

N. A. Gibson  
C. J. Boy

Subscribed and sworn to before me at New Hope, Mo. on this 8<sup>th</sup> day of Sept, A.D. 1896.  
N. A. Gibson  
Notary Public



IN THE MATTER OF THE APPLICATION OF MILLIE BURTON ET AL FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the  
undersigned authority, Millie Burton, who being by me first duly  
sworn upon her oath says as follows:-

I am 65 years of age. I am  
at present living in Muscogee Indian Territory. I was a Creek  
slave before the war, and belonged to Mrs. Julia Nat Hammond, who  
was a Creek Indian woman and lived between the Arkansas and Ver-  
digris Rivers. During the war my Mistress took us and started  
South, and she died and was buried in the Choctaw Nation. After  
the war was over, I and my husband and my mother and all our peo-  
ple came back here to the Creek Nation sometime in the latter  
part of August 1866. We lived between the Verdigris and Arkansas  
Rivers in the Creek Nation until some time in, 1869 when my hus-  
band moved to the State of Texas. We have been back and forth  
between Texas and the Creek Nation ever since. My father was  
Edward Scott who was a half breed Creek Indian. I am a quarter  
breed Indian and three quarters Negro. Charles Burton named in my  
application is my husband. He and I have been married for more  
than forty years. Jehnie Burton is my only child, he is six  
years of age.

Millie <sup>has</sup> + Burton  
mon

Witness to signature,

A. A. Gibson

E. J. Bot

Sworn to and subscribed before me this September 8, 1896.

A. A. Gibson

Notary Public.

IN THE MATTER OF THE APPLICATION OF MILLIE BURTON ET AL FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the undersigned authority, Adeline Meedy, who being by me first duly sworn upon her oath says as follows:-

I am about 52 years of age.

My Post Office Address is Muscogee, Indian Territory. I am a citizen of the Creek Nation. I know the claimant Millie Burton, and her husband Charles Burton, and her son Jehnie Burton. She was a Creek slave and belonged to Julia Nat Hammond, who was a Creek Indian woman and lived between the Arkansas and Verdigris Rivers before the war. When we people came back after the war, this claimant together with her people came to our house in the Creek Nation between the Arkansas and Verdigris Rivers in August 1866, and still in this Creek Nation most of the time for over three years, after which her husband took her to Texas, where they have lived part of the time and part of the time in the Creek Nation ever since. I, know of my own personal knowledge that the claimant was here in time to become a citizen by the Treaty stipulation of 1866. The claimant is a daughter of Edward Scott who was a half breed Creek Indian, and therefore she is a quarter breed Creek Indian. She and her child are entitled to citizenship by the Treaty of 1866 and also by virtue of their Creek blood.

Adeline Meedy

Witness to signature,

N. A. Gibson  
C. J. Box

Sworn to and subscribed before me this September 8, 1896.

N. A. Gibson  
Notary Public.

IN THE MATTER OF THE APPLICATION OF MILLIE BURTON ET AL FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the  
undersigned authority, Fannie Londen, who being by me first duly  
sworn upon her oath says as follows:-

I am 64 years of age. My  
Post Office Address is Muscogee, Indian Territory /I am a citizen  
of the Creek Nation. I knew the claimant, Millie Burton.

She was a Creek slave on her mother's side, and belonged to  
Julia Nat Hammond, a Creek woman. She with her people returned  
to this country the latter part of August 1866, in time to become  
a citizen by Treaty Stipulation. She lived here then for a  
time and her husband Charles Burton, took her to the State of  
Texas, where they have lived a good part of the time since the war.  
Sometimes being in the Creek Nation, and sometimes in Texas.

She has one child, viz., Jennie Burton, age six years. I  
have lived near the claimant before the war, and when she came  
back after the war she came to our house and I know of my own  
personal knowledge that she was here in time to become a citizen  
under the Treaty of 1866. Her father Edward Seott was a half breed  
Creek and negro, therefore the claimant is a quarter blood Creek  
Indian and entitled to citizenship both by blood and Treaty right.

Witness to signature.

N. A. Gibson

Fannie Londen  
mark

E. J. Box

Sworn to and subscribed before me this September 8, 1896.

N. A. Gibson

Notary Public.

**End**



1896  
CR 52

1896  
CR 52



Muskogee St. Aug 12<sup>th</sup> 1896.  
To The Hon. Dawes Commission  
Vinita St.

Gentlemen:- Acting for myself  
and as Agent for my family as  
hereinafter named, I have the  
honor of placing before your  
Honorable body our application  
asking for recognition and en-  
rollment as citizens of the Mus-  
koge or Creek Nation.

We claim a right to citizenship  
in the Muskoge or Creek Nation  
on account of having Creek blood  
in our veins. We are the direct  
descendants of Jim Grayson, who  
was a full Creek Indian belonging  
to Killabee Town M. N.

Our Progenitor Jim Grayson, was  
always recognized and treated as  
a Creek citizen and died a member  
or citizen of said tribe, there being  
no question raised as to his citi-  
zenship.

Our family consist of the following  
named parties:-

|              |                |
|--------------|----------------|
| James Bruner | William Bruner |
| Matilda "    | Mary "         |
| Ida "        | Dykes "        |

|                |                        |
|----------------|------------------------|
| Jacob Bruner   | Malinda Moses          |
| Dollie Gordon  | Commella Payne         |
| Rentie "       | Lurina Moses           |
| Henry "        | John Phillip           |
| Henderson "    | Albert Gordon          |
| David "        | Ernest "               |
| Ladris "       | Rosa "                 |
| Lippie "       | Lurina Willson         |
| Rogers "       | Morris "               |
| Catto "        | Jake "                 |
| Lurina "       | Ben "                  |
| Esau "         | Mattie "               |
| Lizzie Barnett | Manuel "               |
| Lucinda Austin | Joshua Phillip         |
| Kissie Bruner  | Robert Thompson        |
| John "         | Victoria "             |
| Offell Johnson | Kissie Rump            |
| Joe Bruner     | Mary Johnson           |
| Peter "        | Lucy "                 |
| Jessie "       | Jim "                  |
|                | George "               |
|                | Polle "                |
|                | Bibby "                |
|                | Bruce <sup>his</sup> " |
|                | Mark                   |
| James          |                        |
| O. A. Morton   |                        |
| A. P. Morton   |                        |
| (over)         |                        |

attest

Subscribed and sworn to before  
me this 12<sup>th</sup> day of August 1896  
Fred A. Parkinson  
Notary Public

Oklahoma T. Aug 12<sup>th</sup> 1896.

To whom it may concern:

Know Ye, That Mary Ann Grayson, a Creek Citizen, has this day personally appeared before me F. A. Parkinson a Notary Public in support of James Brunner and others Brunner claim to citizenship in the Creek Nation, and deposes and says, I know James Brunner and all the family to which he belongs, the Brunner family, of which James Brunner is a member, are direct descendants from Old man Jim Grayson who was a full Creek Indian, and was recognized and treated as a Creek Citizen, I have known the family all my life and am connected with it, or at least ~~xxx~~ my family, <sup>or people</sup> sprung from the same man, Old Jim Grayson. The said Jim Grayson belonged to Tillabee Town m.m.

Attest  
F. A. Parkinson  
O. A. Moston

Mary Ann Grayson <sup>her</sup> Mark  
(over)



Subscribed and sworn to before  
Me the 12th day of Aug 1846

Thos A Parkinson  
Notary Public



W.S. A.  
Creek Nation.  
Indian Territory } S.S.

On this 8<sup>th</sup> day of Sept.  
A.D. 1896. personally appeared before  
me the undersigned authority <sup>Silas Jefferson</sup> who  
being duly sworn by me, deposes  
and says, I am a Creek Citizen by  
Inheritance and am about  
( 64 ) years of age.

My Post Office Address is, Okmulgee, Okla.  
I am personally acquainted with  
Mary Ann Grayson and have been  
for about ( 50 ) years and always  
knew her to be a person of honesty  
and reliability. I know her to be  
a person who is very old but her  
recollection is nevertheless good  
unimpaired and her statements  
are entitled to due consideration.

Attest  
J. Parkinson

Silas Jefferson  
Notary

P. A. Morton

Subscribed and sworn to before  
me this 8<sup>th</sup> day of September 1896  
Fred A. Parkinson  
Notary Public

Albuquerque N.M. Sept. 7<sup>th</sup> 1896.  
To The Hon. Dawes Commission  
Vinita Ind. Ter.

Gentlemen, Acting as atty. for  
James Brewer and his family.  
I have the honor of offering  
a few remarks concerning  
the said claim.

You will observe from the testi-  
mony given in support of this  
claim, that Jim Grayson was a  
boni fide Creek Citizen, he lived  
and died among the Creek, and  
was always recognized and treated  
as a Creek Citizen. If he was  
a Creek Citizen he had property  
rights here in the Creek Nation  
and who should inherit those  
rights from him if his pos-  
terity cannot? It is a recog-  
nized fact among the Creeks,  
that we claim and hold a right  
to citizenship here by virtue of  
inheritance. If one individual  
has a right to inherit his fore-  
fathers possessions here in the  
Creek Country, every other individ-  
ual has the same right to inherit  
their forefathers possessions also.

6598  
52  
Case No. 6.

In the matter of  
James Bourne.  
Claim to citizen-  
ship in the  
Creek Nation Indy.

and  
The affidavit of  
Mary Ann Grayson  
and  
given in support  
of said claim.

FILED SEPT. 9 1900. ☆

→A. S. McHENNON←

→COM'R←

Rejected

OK  
O. K. [unclear]

It is not within the province of Courts to say that one man or individual may inherit from his father, all his claims and possessions, and his neighbor standing upon an equal footing with him in the eyes of law, shall not inherit his fathers possessions also. The Constitution of the United States says, "there shall be no discrimination between persons".

The Law should be equally binding upon and give equal protection to all persons alike. But you will observe that the Creek Government does not recognize this fact, or it is wholly ignorant of the said Constitution of the United States, or I think they would not attempt to do that which the surrounding States and Territories are forbidden to do.

Hoping that your Honorable Commission will carefully and thoroughly investigate this claim and adjudge the said Claimants to be Full Citizens of the Creek Nation.

Respectfully submitted O. A. Morton Surgeon  
O. K. M. J. G.







Before the Dawes Commission, Vinita, Indian Territory.

James Bruner, and :  
fifty-one descendants :-----Plaintiffs.  
VS. ( Answer.  
The Creek Nation,-----Defendants.

The defendant for answer says: That the petitioners do not allege and prove by a responsible disinterested native witness that they are of Muskogee descent not further removed than the fourth degree, as required by the laws of this Nation to entitle them to citizenship by blood.

That the said petitioners do not allege that they are now or ever have been residents of this Nation.

Their only witness being very old and ignorant negro woman whom says competency had to be vouched for by another person who swears that "she is very old but her recollection is nevertheless good and unimpaired and her statements are entitled to due consideration" This witness is also illiterate and the language of the affidavit is not her own and shows that it was written out by another and sworn to by him without full understanding of what it meant.

The defendant says that the facts stated in the application do not entitle these numerous plaintiffs to citizenship in this Nation under the laws thereof.

S. R. Callahan,  
Bunny McIntosh,  
Attorneys for defendant.

Bunny McIntosh says that he believes the matters and things set forth in the foregoing answer to be true.

Bunny McIntosh

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896.

W. L. Rogers, Clerk and Registrar of the Dawes Commission,  
at Vinita, Indian Territory.  
My Comm. expires Oct 10<sup>th</sup> 1900 W. L. Rogers (Seal)

**End**

1896  
CR 53

1896  
CR 53

In the matter of applica-  
tion of McEwen Belcher  
to prove his right as a  
citizen of the Creek  
tribe of Indians and his  
relationship to that  
tribe

Affidavit of Annis  
Johnson, now Rushing

I  
being duly sworn  
on my oath state that  
I am sister to Elen  
Johnson we were  
daughters of William  
Johnson of Bibb County  
Georgia and I further  
state that our father  
William Johnson was  
one fourth blood

Creek Indian and I  
further state that  
Elen Johnson was  
married to Woody  
Belcher in Yazoo  
County Mississippi in  
1842 and shortly  
after their marriage they  
moved to Smith Co  
Tex. where Elen  
Johnson gave birth  
to the following named  
children Robert, Jane  
Marguerite, McEwen,  
Mahala, Lafayette,  
and Charlie and that  
she died in the year  
1865 in Smith County  
Tex

Annis Rushing  
mark

Sworn to and signed  
this the 13 day of Apr 1853  
before me & justice of  
the Peace in Smith County  
and State of Mississippi  
Witness my hand  
and seal this  
date & accordingly mentioned  
M H Lark J.P.



State of Mississippi  
Scott County

M. J. Liles Clerk of the  
Chancery Court of said Scott  
County do hereby certify that  
M. H. Saxe whose genuine  
signature appears to the annexed  
and foregoing <sup>Certificate of</sup> acknowledgment,  
is now, and was at the date of  
said certificate an acting  
Justice of the Peace in and for  
said County, duly elected and  
qualified according to law, that  
full faith and credit are due to  
~~all his official acts~~  
and that his said certificate is  
in due form of law.  
In Witness whereof, I have hereunto  
set my hand and affixed the seal  
of said Court at my office  
in Forest, this 17<sup>th</sup> day of April  
A.D. 1893

M. J. Liles  
Chancery Clerk.

POOR ORIGINAL -  
BEST AVAILABLE COPY



and petitioner respectfully awaits the time and place when his application shall be heard and tried, and petitioner will ever pray, etc.

Attorney for petitioner.

The aforementioned petitioner,

*Robert Belcher*

says that the statements

set forth in the above and foregoing petition are true according to his best knowledge information and belief.

1900

*Robert Belcher*  
Petitioner.

Subscribed and sworn to before me, this

7 day of *Sept* 1896.

Notary Public.

*Shos T. J. J. J.*

No. *3700 53*

APPLICATION OF

*Robert Belcher* Et. Al.,

Enrollment in *Creek* Nation

Filed on the *9* day of *Sept* 1896

*At W. J. J. J.*  
Sec. U. S. Com Five Civ. Tribe of  
*J. J. J. J.*  
Attorney for Petitioner.

CAPITAL PRINT, South McAlester.

*Registered*

# APPLICATION FOR ENROLLMENT

Before the United States Commission to the Five Civilized Tribes of Indians:

*Robert Belcher* Et. Al.  
PETITIONER,  
VS. *Creek* Nation, Indian Territory,  
RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE NAMED HONORABLE COMMISSION:

Your petitioner *Robert Belcher* states that *his mother Ellen Belcher* was a *Creek* Indian by blood, was duly recognized by the proper authorities as such in *the said Creek Nation* and enjoyed all the rights, privileges, benefits and immunities of other *Creek* Indians by blood in the said *Creek* Nation or Tribe of Indians, and that the name of the said *Ellen Belcher* appears or should appear upon the authenticated rolls of the said *Creek* Indians for the year *1842*. That the petitioner is a lineal descendant of the said *Ellen Belcher* to-wit: *Ellen Belcher's name before she was married was (Ellen Johnson). William Johnson was her father's name, who was a Creek Indian.*

That under the constitution, laws, usages and customs of the said *Creek* Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said *Creek* Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and immunities of other *Creek* Indians by blood.

That there are now living legal descendants of your said petitioner *those* persons, as follows, to-wit:

|  |                |     |                         |              |
|--|----------------|-----|-------------------------|--------------|
| <i>Alfred Belcher</i>  | a Son          | and | <i>Twenty Seven</i>     | years of age |
| <i>Robert Belcher Jr.</i>  | a Son          | and | <i>Twenty Five</i>      | years of age |
| <i>Fannie Belcher (Helen)</i>  | Daughter       | and | <i>Twenty Three</i>     | years of age |
| <i>Emma Belcher (Odum)</i>   | Daughter       | and | <i>Twenty One</i>       | years of age |
| <i>Adie Belcher</i>  | Daughter       | and | <i>Nineteen</i>         | years of age |
| <i>Eddy Belcher</i>  | Son            | and | <i>Twenty</i>           | years of age |
| <i>Arthur Belcher</i>  | Son            | and | <i>Fifteen</i>          | years of age |
| <i>Ida Belcher</i>   | Daughter       | and | <i>Thirteen</i>         | years of age |
| <i>Ada Belcher</i>   | Daughter       | and | <i>Eleven</i>           | years of age |
| <i>Frank &amp; James Odum</i>  | Grand Sons     | and | <i>2 &amp; 3 months</i> | years of age |
| <i>Maggie J. Belcher</i>   | Grand Daughter |     | <i>1 month</i>          |              |
| Wherefore, the premises considered, your petitioner prays that <i>those</i> name with those of |                |     |                         |              |
| <i>Charley Helen</i>   | Grand Son,     |     | <i>1 month</i>          |              |

his \_\_\_\_\_ said descendants to-wit: Alfred Belcher Robert Belcher Jr.  
Jennie Belcher (Helm) Emma Belcher (Adams) Adie Belcher Eddy Belcher  
Arthur Belcher Ida Belcher Ada Belcher Frank Adam James Oden  
and Maggie Belcher Charley Helm be enrolled and admitted to all the rights, benefits, privileges and  
immunities of other Creek Indians, in and to the Creek Nation or  
Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

And in support of said claim herewith submits the affidavits, depositions and record evidence namely:  
Amiee Rushings William Johnson  
Woody Belcher

and petitioner respectfully awaits the time and place when his application shall be heard and tried, and petitioner  
will ever pray, etc.

Attorneys for petitioners.

The aforementioned petitioner, Robert Belcher says that the statements  
set forth in the above and foregoing petition are true according to his best knowledge information and belief.  
1900

Subscribed and sworn to before me, this 7 day of Sept 1896.  
Thos. F. Jurney Notary Public.

|   |  |  |
|---|--|--|
| No. <u>3700</u> <u>03</u>                     | APPLICATION OF<br><u>Robert Belcher</u> Et. Al.,     | Enrollment in <u>Creek</u> Nation            |
| Filed on the <u>9</u> day of <u>Sept</u> 1896 | <u>Wm. Johnson</u><br>Sec. U. S. Com. Five Cl. Tribe | <u>J. J. Powell</u><br>Money for Petitioner. |
| CAPITAL PRINT, South McAlester.               |  |  |

Revised

*Original*

*the application of Robert Belcher*

IN THE MATTER OF McEwen Belcher to prove his right as a citizen of the Creek Tribe of Indians.

The State of Texas )

County of Smith )

Before me the undersigned authority on this day personally appeared William Johnson, to me known, and who after being by me duly sworn, says on oath, that he knew William Johnson during his lifetime, that said William Johnson was part Indian, it being generally understood that he was one fourth Creek Indian, and his complexion, and general appearance showed that he was part Indian,

Affiant further says that he knew Ellen Belcher (who was Ellen Johnson before she married Woody Belcher) who was a daughter of said William Johnson, and he further says that he knew the children born to Woody Belcher, and the said Ellen Belcher, viz Robert, Jane, Marguerite, McEwen, LaFayette, Mahala, and Charlie, and he also says that she the said Ellen Belcher died in Texas in 1865.

He further says that all of the children of said Woody Belcher and Ellen Belcher show by their complexion, and general appearance that they have Indian blood in them.

*William<sup>his</sup> Johnson*

Sworn to and subscribed before me this the 2th day of September 1896

*J. P. Davis*  
Notary Public Smith County Texas.



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Before the Dawes Commission, Vinita, Indian Territory.

Robert Welcher, ----- Plaintiff.

vs. ( Answer.

The Creek Nation,-----Defendant.

The defendant for answer says: That it appears from the statements in petitioners said application that his parents never resided within the limits of the Creek Nation and that the ~~petitioner~~ petitioner was born outside of this Nation and has never heretofore made application for citizenship on account of blood.

That the affidavits filed in support of the petitioners claim were made in an other case, and the witnesses are native citizens of this Nation as required by the laws thereof and petitioner does not prove by competent witnesses that he is of Muskogee descent within the fourth degree.

Wherefore the defendant says that the petitioner is not entitled to citizenship in this Nation or any of the privileges thereof.

*By the defendant he wishes against the expense of prosecution in this case by this Hon Com*  
S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bunny McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 22<sup>o</sup> day of Dec 1896.

*Wm. H. Rogers (at)*  
*W. H.*

*My Com exp Oct-10<sup>th</sup> 1900-*

United States of America }  
Northern Dist of the } 85  
Indian Territory }

A. J. Powell being duly sworn  
upon his oath states that  
he has transmitted to the  
Principal Chief of the Creek Nation  
a copy of the application  
for citizenship in said Nation  
with a copy of all the evidence  
thereof of Robert Belcher who  
is named in the foregoing  
petition.

X A. J. Powell  
Subscribed and sworn to  
before me this the 7 day of  
Sept. 1896.

X Thos. F. Johnson  
Notary Public

In the matter of the application of McEwen Delehor to prove  
his right as a citizen of the Creek Tribe of Indians  
The State of Texas } Before me the undersigned  
County of Henderson } authority, on this day  
personally appeared Woody Delehor to me known, and who  
after being by me duly sworn, says on oath that he  
was married to Ellen Johnson in Yazoo County Mississippi  
on the day of 1847. He further says that the  
said Ellen Johnson was the daughter of William Johnson of  
Bibb County Georgia, who was one fourth blood Creek  
Indian. He further says that the following named chil-  
dren were born to ~~the~~ his said wife Ellen, viz, Robert,  
Jane, Marguerite, McEwen, Mahala, Lafayette  
and Charlie. He further says that his said wife  
died in Smith County Texas in 1865,  
Woody Delehor

Subscribed and sworn to before me this 4<sup>th</sup> day of  
September 1896.

L. L. C. Askew

Notary Public in and  
for Henderson Co Tex



**End**

1896  
CR 54

1896  
CR 54



No. 54

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Arland Barnett Et Al*

VS.

*Lovera,*

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR THE SECRETARY OF THE DEPARTMENT OF JUSTICE

[illegible]

this the 26 day of \_\_\_\_\_

Muscogee  
f. January 1897  
Jas. A. Winston  
Clerk

Not 54.

Noland Barnett & Co

vs.

Creek Nation

Order of Appeal  
U.S. Court

# NOTICE.

180

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

SS.

In the United States Court for said District.

In the matter of the application of

Noland Barnett et al

to be

enrolled as citizens of the Creek Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

Noland Barnett et al

to be enrolled as citizens of the Creek Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 9th day of Jan, 1897 A.D. 189

J. A. Deuston Clerk.

**End**



1896  
CR 55

1896  
CR 55

No. 55

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Samuel E. Baker et al.*

VS.

*Corrick*

Nation.

Received and filed this

day of

189

Secretary.

SEATTLE JOB PRINT POST OFFICE

..... vs. .... Nation, as follows:

V8

...Nation, as follows:

WITNESS my hand and official seal at.

this the 26<sup>th</sup> day of .....

1897

Muscogee  
January 1897  
Jas. A. Winston  
Clerk

No 55-

Sarah E Baker Et al  
v.s.

Creek Nation

Appeal Order of  
MS Court

#84 83

## NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.  
In the matter of the application of  
Sarah E. Baker et al to be  
enrolled as citizens of the Creek Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

Sarah E. Baker et al

to be enrolled as citizens of the Cherokee Creek Nation, from said  
Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested  
by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a  
transcript of all the entries made in the docket of your tribunal relating to the case, together with the  
depositions and testimony taken before said tribunal; the decision thereof on the application, and all original  
papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 21st day of  
Dec. 1896 A.D. 189

*William M. Springer* Clerk.



**End**

1896  
CR 56

1896  
CR 56

No. 561

RECEIPT  
FOR ORIGINAL PAPERS IN THE CASE OF

*James Bartlett & Co.*

VS.

*Lover*

Nation.

Received and filed this

day of

189

Secretary.

REMARKS FOR PRINT POST BIRTH.

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of

..... vs. .... Nation, as follows:

|       |  |
|-------|--|
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WITNESS my hand and official seal at Muscogee  
this the 26<sup>th</sup> day of January 1897  
Jas. O. Winston  
Clerk

No 56/  
Nannie R. Hitt et al  
vs.  
Creek Station  
Order of Appeal

FILED FOR APPEAL

RECEIVED BY THE CLERK OF THE COURT

1894

FILED FOR APPEAL

1894



#214

## NOTICE.

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

SS.

In the United States Court for said District.

In the matter of the application of

**Nannie Bartlett et als**

to be

enrolled as citizens of the

**Creek** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**Nannie Bartlett et als**

to be enrolled as citizens of the **Creek** Nation, from said

**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the **16th** day of

**Jan. 1897.**

A.D. 189

Clerk.

**End**

1896  
CR 57

1896  
CR 57

and copy to the court in which it is filed.

and that he pretends the matters are true

Veronica de la Cruz  
Mina Hefner

W. C. Hefner

is entitled to his action or to the relief he seeks.

and that he pretends the matters are true

and that he pretends the matters are true

and that he pretends the matters are true

and that he pretends the matters are true

and that he pretends the matters are true

and that he pretends the matters are true

and that he pretends the matters are true

and that he pretends the matters are true

U.S.

FILED OCT 23 1896

A. S. MCKENNA

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

California

U.S. DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

Before the Dawes Commission, Vinita, Indian Territory.

Tate Barnett,-----Plaintiff.

VS. ( Answer.

The Creek Nation,-----Defendant.

/ The defendant for answer: Denies that the said plaintiff was lawfully residing in the Creek Country when the Treaty of 1866 was made:

^ That it appears from the ~~an~~ plaintiffs application that he is forty years old and has never heretofore made application for citizenship to the tribunals of this Nation or given any reason

why he has not done so. *3 the defendant denies the jurisdiction of this Commission to try this case*

Wherefore the defendant says the plaintiff is not entitled to citizenship in this Nation or to any of the privileges thereof.

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bennie M. Intosh*

says that he believes the matters and things set forth in the foregoing answer to be true.

*Bennie M. Intosh*

Sworn to and subscribed before me this *22<sup>nd</sup>* day of *October* 1896.  
*Witness my hand and seal not having an official seal*  
*Geo. W. Rogers Clerk*  
*Notary Public*  
*Do not expect 305-10th 900*



# No 724  
1896 Case of 57  
Late Barnett et al.  
for citizenship in the  
Creek Nation

Filed Sept 8-1896  
A.S. McKinnon  
Clerk

Admitted to the  
Creek Nation  
for his four children

Filed by  
McLain & Fisher  
Attys at Law  
Muscogee  
Ind. Ter.

Before Hon Dames Commission

The application of Tate Barnett

Sometimes called Bud Vaughn  
for himself and four children named in the body of application  
for citizenship in the Creek Nation  
respectfully shows:

He states that  
his name is Tate Barnett, but  
he is sometimes known as Bud  
Vaughn which was given as a  
nickname as one Vaughn  
for whom he worked a short  
time in Fort Smith Arkansas.

That he is of african descent  
and was a slave owned by  
Sarkin Barnett an Indian; his  
father's name was Aleck Barnett  
and his mother Rosa Barnett.

That he has two sisters, Julia  
Barnett who is fully recognized  
as a Creek citizen and is now on  
the rolls of the Nation, and Sarah  
Barnett who came to the nation  
after this applicant and the said  
Julia Barnett, ~~the same~~ her application  
for citizenship never having been  
passed upon by the Creek authorities.

That he ~~was formerly~~ residing in  
the Creek Nation when the Treaty of  
1866 was made, and in Arkansas  
Town, between the Verdigris and Arkansas Rivers.

That he and his two sisters were first brought into the Territory prior to the late civil war. That when the war came on, they were run into the state of Texas where they remained in Hamlin Co, near Boggy depot, until the war closed. They were then told to return to the Creek their home, and they did return with a large number of Indians and freedmen. This return was prior to the treaty of 1866.

My sister Julia is about 50 years of age, and Sarah Barnett my sister about 45, and I about 40 years old.

He states further that the Indian Territory and the Creek Nation has always been his residence, and he now resides <sup>in</sup> Muskogee, and is a barber by occupation. For a year or less he was a refugee as stated in Texas, and for a few months at a time has worked as a barber in Ft Smith Ark on the border of the Nation.

He states further that on the day 188 about 15 years ago, in the summer that President

3

Garfield was killed he married  
Berthe Shelton who was <sup>of</sup> African <sup>Nation</sup>  
descent and born in the Chodan  
near San Bois.

That there were born of said  
marriage four children Twint,  
Garfield, <sup>Creek</sup> Barnett, Thomas, and  
Harper Barnett who are now  
living with this applicant in  
Minneapolis I.T. ranging in age  
from 8 to 14 years.

And he states further that while  
he has never been enrolled, he has  
never been denied any right. He  
has always resided in said Nation  
without permit to do business,  
and without interruption or objection,  
though he has never been paid  
any money.

Wherefore he prays that he and  
his children may be enrolled  
as citizens of said Nation.

J. B. Barnett

Seen and subscribed before  
me this 31. Aug 1896.

John E. Leber

Notary Public.



# 724  
1896. bare # 57

FILED SEPT. 9 1896. ☆  
A. S. McKENNON  
COM 'R'



C. Kicokah, Dec. 7<sup>th</sup> 1896  
Received this day, I, Kate Barnett for  
Nelson Lister, the attorney, copy  
of application & evidence, in case # 728  
of Kate Barnett et al for citizenship  
in the Creek Nation.

Notary at Ketchikan.

Atty. in Chief, Muskogee Nation.

Ry. S. Callahan  
Civil Servant

of the applicant Kate Barnett in  
Burd Vaughn and knows that he  
is a person of African descent, and  
resided in the Creek Nation as a slave  
when a boy prior to the Civil war,  
and that he resided in said Nation  
before the Treaty of 1866 and has  
resided here ever since; and  
that he now resides in Muskogee, and  
has four children by his marriage,  
to Bertie Shelton, as follows, Garfield,  
Thomas, Harper, and Creek Barnett,  
the eldest being about 14 years old  
and the youngest about 8 years  
old. She states further that she  
is recognized and is duly enrolled  
as a citizen of the Creek Nation,  
and draws money as a Creek citizen  
citizens:  
Julius Barnett  
Musk

Wm. Lieber subscribed to keep me this  
Aug 31, 1896.

John H. Lieber  
Notary Public

Indian Territory Northern District S.S.

In the matter of the application of Tate  
Barnett and minor children for citizenship  
in the Creek Nation.

Julia<sup>Barnett</sup>, first being sworn deposes  
and says:

That she is the full sister  
of the applicant Tate Barnett or  
Bud Vaughn and knows that he  
is a person of African descent, and  
resided in the Creek Nation as a slave  
when a boy prior to the Civil war,  
and that he resided in said Nation  
before the Treaty of 1866 and has  
resided here ever since; and  
that he now resides in Muskogee, and  
has four children by his marriage  
to Bertie Shelton, as follows, Gasfield,  
Thomas, Harper, and Creek Barnett,  
the oldest being about 14 years old  
and the youngest about 8 years  
old. She states further that she  
is recognized and is duly enrolled  
as a citizen of the Creek Nation,  
and draws money as a Creek citizen  
witness:  
Julia Barnett  
Mark

Wm. Lieber  
Subscribed to before me this  
day 31. 1896.

John H. Lieber  
Notary Public

**End**

1896  
CR 58

1896  
CR 58

Report to Census Commission

Ex. 1. <sup>1</sup> Given  $\sin K$  and  $\sin A$ ,  
find  $\sin B$  and  $\sin C$ .  
Solution.  $\sin B = \frac{\sin A \sin K}{\sin A \cos K + \sin K \cos A}$   
 $\sin C = \frac{\sin A \sin K}{\sin A \cos K - \sin K \cos A}$   
The sign of the denominator

The 11th Nov  
 I have received a letter from  
 the committee, and have received  
 a letter from a "man" who is  
 now in the hospital.

To the Hon.  
of Congress, Washington  
D.C. I have the honor to acknowledge  
the receipt of your letter of the 10th inst.  
and in reply to inform you that the  
Commissioner has been instructed to  
investigate the same and report thereon  
to the next session of Congress.



1  
Oli Perry Hill of the said  
Missouri Perry Hill born in a full  
blood Creek nation is said to be  
Perry Hill, who after she had  
become a woman married  
one L J Harris a white man  
and petitioner states that she  
is a daughter of the said  
Missouri Perry Hill by her  
husband the said L J Harris  
petitioner states and avers that  
her said Grand father the  
said Oli Perry Hill was more  
than one quarter blood Creek  
Indian and petitioner mother  
the said Missouri Perry Hill  
Harris, was the daughter  
of the said Oli Perry Hill, was  
therefore something more  
than a one sixteenth blood  
Creek Indian, and as such  
she is, as she is advised,  
believes, states and avers to be  
equally and Equitably entitled  
Equally with full blood Creek  
Indians to be enrolled and  
recognized as a tribal citizen  
of the Muscogee or Creek.

petition possessing all the rights  
privileges and immunities  
belonging and in any way ap-  
pertaining to each and every  
tribal citizen of said Muscogee  
or Creek Nation or tribe of  
Indians under any laws  
of the laws traditions and  
customs of said tribe and by  
the terms and conditions of  
the treaties made and ratified  
by and between the Muscogee  
or Creek Nation and the Gov-  
ernment of the United States  
America; and to the end that  
your petitioner may be enabled  
to secure unto herself and her  
children born in lawful wedlock  
all the rights privileges and  
immunities of her birth-right  
to file this application for  
tribal enrollment and citizenship  
in said Muscogee or Creek Nation  
and tribe of Indians and she prays  
that the same be considered  
with the proofs herewith sub-  
mitted, and adjudicated and  
determined by the Commission.

according to the rules of  
fair and impartial justice.  
Petitioner states and shows to the  
Commission that she was  
lawfully married to a man  
J. I. Wank a white man at the  
town of Rangerfield, Morris  
County, Texas on the 3rd day of  
June 1881 and that by said  
marriage she has no living  
the following named children  
to wit: Malissa Lelia Wank  
born in Cass County, Texas on  
the 13th day of April 1887, Ellen  
Lorcia Wank born near the town  
of Rangerfield, Morris County,  
Texas on the 24th day of Sept  
1886, Houston Wank born at  
Tillman, Texas on the 1st day of  
April 1888, Albert T. Wank  
born at Jefferson, Texas on the  
12th day of February 1890, and  
Ada Rosaline Wank born at  
Jefferson, Texas on the 19th day  
of March 1892.

Petitioner states that she came  
from Texas, to the Muscogee  
Creek Nation in the year 1893.

1  
Where she now claims her home  
at the habitation of her husband  
Winston T. Banks at Exempla in  
the said nation though on the  
account of untoward circum-  
stances and for family and  
economic reasons petitioner  
is sojourning with her chil-  
dren in another part of the  
Indian Territory. Petitioner  
states and avers that she  
came to the Indian Territory  
and to the Creek Nation as  
soon as she could do so and  
for the sole purpose of settling  
up her birth right claim to  
Creek citizenship in the Creek  
Nation.

Wherefore the petitioner  
- prays that petitioner respectfully  
humbly and earnestly prays  
the Commission to adjudge  
order and decree that the  
names of herself and each  
of her five children be entered  
and enrolled on the Citizenship  
roll of the Muscogee or  
Creek Nation and declared



Entitled to all the rights  
privileges and immunities  
of free Blood Creek Indians  
the testimony of the truth  
of the allegations herein  
contained, petitioner means to  
give truth and files herewith  
a exhibits to give a part  
of the application the  
respective depositions  
of Abner H. Hardridge a Creek  
Indian citizen of Cissauga  
of Illinois H. Doyle a Creek  
Indian citizen of Cissauga  
the son and of J. Cherryhill  
a Creek Indian citizen of Victor  
the son who is an uncle of this  
petitioner, and petitioner states  
that she can and will if  
it be demanded by this  
Honorable Commission  
further support the truth  
and justice of her claim by  
the testimony of other good  
and reputable citizens of  
the Creek Nation. The  
petitioner states that the  
brothers and sisters of



His grand father the said  
Mr. Henry Hill came to the  
Muscogee or Creek Nation  
many years ago, and each  
attained full and complete  
tribal relations & immunities  
and that all of them having  
departed this life their legal  
descendants are now enjoying  
all said Tribal Relations  
and petitioner submits that  
what is known as the "Alien  
Act" adopted by the Council  
of the Muscogee or Creek  
Nation, and now claimed by  
the government of said Nation  
to be in force, whereby people  
with Creek Indian blood are  
for the reasons in said Alien  
Act set forth, debarred from  
tribal citizenship is contrary  
to the terms of said existing  
treaties, in contravention of  
the Constitution of the Creek  
Nation, and in violation  
of the laws of the United  
States applicable to the  
Creek or Muscogee Nation

all which we have been heretofore adopted by the Muskogean National Council as a part of the laws by which the Muskogean or Creek Indians are governed and Petitioner submits that the said "Alien Act" is null and void in that it thus contravenes a Organic Law.

Petitioner submits her application for citizenship in the Muskogean or Creek Nation, and submitting proof to sustain the same she prays that the same be granted and she prays for other necessary special and general relief.

This is Petitioner's first application in this behalf and no other Commission Committee or Tribunal has considered and adjudicated her claim or passed upon the same in any way. Submitted and Petitioner will ever pray.

Edwin Banks  
For herself and her children  
as herein mentioned.

Before the  
Dawes Com.

Ex parte

Ellen Banks,  
applications  
for enrollment  
of herself and  
children as citizens  
of the Muscogee  
or Creek Nation

Filed Sep 4-1890

J. P. M. Turner  
att'y for Mrs. Banks

U. S. America  
No. 101. Before me I a  
J. A. Rex a Notary Public duly  
appointed and commissioned  
in and for the Northern Judicial  
District of the Mexican Territory  
came and personally appeared  
Mrs Ellen Banks, who is to me well  
known and whose name is subscribed  
to the foregoing Petition, and she  
makes solemn oath that the matters  
and things therein stated as of her  
own knowledge are true and the  
matters and things therein stated  
on the information of others  
she believes firmly, she has  
known to and subscribed  
before me on the 14 day  
of August 1876.

Ellen Banks

J. A. Rex.  
Notary Public.

Letter  
To Davies Corn



J. C. PETTIGREW,  
UNITED STATES CONSTABLE.

Muscogee, Ind. Terr. Sept 7 1896

To the  
Hon. The Lawes Com.  
Vinitia I T.

Sir. Herewith I send you paper  
containing affidavits showing the  
service of copies of original papers  
on Pr Chief of Muscogee Nation in  
the matter of the appl of Belle  
Danks, for enrollment as citizen  
of the Creek or Muscogee Nation  
As you will see the copies were put  
in the hands of Chief &c as you  
may have observed the Chief  
of the Creek or M Nation has  
been somewhat slow to send proper  
Receipts, for papers.

You will please file the  
affidavits I send you, with the  
original papers now on file in  
your office I have your receipt  
acknowledging receipt of original  
papers, sent you on the 7th of Aug

J. C. PETTIGREW,  
UNITED STATES CONSTABLE.

Muscogee, Ind. Ter. 189

I hope you will do me the Courtesy  
to look up the original papers  
and file these with them; so there  
may be no confusion.

I am very truly  
Yr Obedt Servt  
Wm J. Allen Dauty

8x-Porter  
McEllen Banks

Deposition  
of  
Sam H. Gayle

The deposition of Mrs. H. D. Dyer, a  
Creek citizen, taken on the 15th day  
of May 8th between the hours of 8 o'clock  
A.M. and 12 o'clock P.M. at the  
Recorder's office, in the town of Capitan,  
Creek Nation, to be read in  
open court on the part of Petitioner, James  
Ellen Dyer, in opposition to the  
petition of the Creek Nation, with  
particular reference to the  
petition of the said Creek Nation  
for the removal of the said  
Mrs. Dyer from the Creek Nation.  
I, the undersigned, being duly sworn,  
depose and say that I am a Creek citizen  
by blood I knew Mrs. Ellen  
Banks ever since she was a little  
girl, and I knew her to be the  
daughter of Missouri Harris  
whose maiden name was  
Missouri Berryhill ~~she was~~  
the said Missouri being a  
sister to G. P. Berryhill, who  
has been recognized as  
a Creek citizen by blood  
in the Creek Nation.  
The Berryhill family in  
Texas were known as Indians  
in Texas. The said Mrs. Ellen  
Banks is a direct descendant of  
that family of Creek Indians  
I have seen the five children  
of Mrs. Banks, two boys and  
three girls.



1  
Mrs Banks came to this  
Country from Texas nearly  
two years ago, and since  
arrived, has lived what  
is known as the "Alien"  
Act. She has a good many  
relatives in this Country  
recognized as citizens.

J. H. Doyle  
I, Thos. F. Turner, Notary  
Public in and for the District  
Judicial of the Indian  
Territory do hereby certify that  
the foregoing deposition of  
Mrs G. Doyle, was taken  
before me, and was read to  
and subscribed by her in  
my presence at the time and  
place and in the cause mentioned  
up in the caption; the said  
J. H. Doyle having been  
first sworn by me that the  
evidence he should give in the  
cause should be the truth, the  
whole truth and nothing but  
the truth, and that his statements  
were reduced to writing by  
Mr Banks at my request, in  
witness whereof, I hereunto  
set my hand and official  
seal at Muskogee, Muskogee  
County, Indian Territory this  
Aug 15th 1885.

Thos. F. Turner  
Notary Public



1. The first of these is the fact that the

the second is the fact that the

the third is the fact that the

the fourth is the fact that the

the fifth is the fact that the

the sixth is the fact that the

the seventh is the fact that the

the eighth is the fact that the

the ninth is the fact that the

the tenth is the fact that the

the eleventh is the fact that the

the twelfth is the fact that the

the thirteenth is the fact that the

the fourteenth is the fact that the

the fifteenth is the fact that the

the sixteenth is the fact that the

the seventeenth is the fact that the

the eighteenth is the fact that the

the nineteenth is the fact that the

the twentieth is the fact that the

the twenty-first is the fact that the

the twenty-second is the fact that the

the twenty-third is the fact that the

the twenty-fourth is the fact that the

the twenty-fifth is the fact that the

Before the Dawes Commission, Vinita, Indian Territory.

Mrs. Ellen Banks, and:  
five children :----- Plaintiff.  
vs. ( Answer.  
The Creek Nation,-----Defendant.

The defendant says: That it appears from the statements in the petitioners application that her grand-father, Eli Perryhill was one fourth Creek Indian by blood and her mother one sixteenth, and the applicant one-thirtysecond part which removes the petitioners further than the fourth degree, and consequently she is barred by the laws of this Nation; And it also further appears she was born and raised in the State of Texas where she married and lived until 1883 when she removed to this Nation and has not been enrolled or recognized as a citizen, not only on account of the Alien act but because she has not the requisite degree of blood to admit her to citizenship.

Wherefore the defendant says that upon the facts relied upon by the petitioner she shows that she is not entitled to citizenship in this Nation or to any of the privileges thereof.

S. F. Callahan,

Runny McIntosh,  
Attorneys for defendant.

*Runny McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Runny McIntosh*

Sworn to and subscribed before me this 22 day of Oct. 1886.  
*Witness my hand and private seal having no official seal.*  
*Subscribed before me (seal)*  
*Chas. P. [illegible]*  
*Notary Public, Okla. Terr.*

Ex parte

W<sup>m</sup> Ellen Beane, vs,

~~the~~ Deposition of

W<sup>m</sup> W<sup>m</sup> Rindwidge

J

The deposition of Mr. W. R. Hardridge  
a Creek citizen taken on the fifth day  
of August 1883 between the hours of 8 o'clock A.M.  
and 6 o'clock P.M. at the residence of  
Mr. W. R. Hardridge in the town of Bush  
Creek, Oklahoma. To be read as evidence  
on the part of petitioner, Mrs. Ellen  
Banks who is also for this matter in  
the Creek Nation. ~~the parties present~~  
~~the following~~ ~~the following~~ ~~the following~~  
~~the following~~ ~~the following~~ ~~the following~~  
My name is Mr. W. R. Hardridge, my  
maiden name was Mrs. Doyle I was  
born and raised in Washington Co.  
Tex. my people were Creek Indians  
and came from Alabama to Texas  
I know the Petitioner Mrs. Ellen  
Banks from the time she was a  
little girl, I know that her maiden  
maiden name was Miss Mary Berryhill and  
her husband was a Mr. Harris,  
Mrs. Ellen Banks is the only daughter  
living of that union. Her people  
were recognized as Indians in  
Texas and now the fine children of Mrs.  
Ellen Banks, Malissa & Ellen & the  
Winston Albert & and a lady named  
Banks Mrs. Banks came to this  
country in 1882 and has not been  
able to get a trial of her right  
here. She has a good many relatives  
who have been recognized and have



rights in the Creek Nation  
She has an uncle here by name  
of J. D. Berryhill. The grandfather  
of Mrs. Banks came from Ala.  
to Ark about the same time  
that my father came there they  
all came from Ala.

Mrs M. R. Hardage  
I, Thos. J. Turner a Notary Public in and  
for the Southern Judicial Dist. of the  
Indian Territory do certify that the  
foregoing deposition of Mrs. M. R. Hard-  
widge was taken before me and  
was read to and subscribed by her  
in my presence at the time and  
place and in the Ex parte cause  
mentioned in the Caption. The said  
Mrs. M. R. Hardwidge having been  
first sworn by me that the evidence  
she should give in the cause should  
be the truth, the whole truth and nothing  
but the truth and that her statements  
were reduced to writing by W. D. Brown  
at my request in her presence no  
other parties being present at the  
examination.

Thos. J. Turner  
Notary Public



c527

In Re  
Ellen Gaults  
et al  
application  
for Citizenship  
Enrollment in  
Mississippi nation

affidavit of  
Chapman & McTear  
showing service  
of copies on the  
Principal chief

FILED SEPT. 9 1896.

A. S. McKENNON

COM' R

James & Co. of  
Mississippi, D. S.

Indian Territory  
Northern District

Personally  
appeared before me, J. A. Perrott, Notary  
Public of the United States, District  
Court for the Northern District of  
the Indian Territory, Attorney at Law,  
who is duly sworn, John O. A.  
on the 4th day of August 1896,  
a record from J. M. M. M. M.  
Attorney, and copies of the original  
application to the Court, Court  
of the Indian Territory, in a  
book of the Indian Territory, in a  
book, as also copies of the several  
original affidavits in support  
of said application. Affidavits  
further, that said application and  
copies of affidavits, were put up in  
a case and by him put  
into the hands of William M. M. M.  
with request that he deliver the said  
package into the hands of J. A. Perrott,  
Chief of the principal Chief of the  
Muskegee Nation. Further deponent  
saith not.

Witness my hand and seal  
before me on the 3d  
day of Sept 1896.

Notary Public.

27  
Neenah Territory  
Northern District

Personally before  
me J. C. Rex a Notary Public,  
of the United States Dist Court for  
the Northern Dist of the Neenah Territory  
appeared Wm M<sup>th</sup> Intosh, a male  
human and a citizen of the United States  
and being duly sworn stated  
on oath, that on the 14th day of  
August 1896, he received from  
the hands of George Chapman Esq  
a sealed package claimed and pur-  
porting to be copies of the original  
application and affidavits in  
support of the same before the  
Federal Court of the Northern Dist  
for Enrollment in the Muscogee  
Nation as a citizen, and that same  
package affidavit delivered into  
the hands of Samuel Calhoun  
private Secretary of the principal  
Chief of the Muscogee Nation, in  
the presence of and at the request  
of ~~John M. Intosh Esq Chief of the principal~~  
~~of John M. Intosh Esq Chief of the principal~~  
Chief, and the said Calhoun  
received said package and  
said he never saw except for same  
known to and subscribed

before me on this the 3<sup>rd</sup> day  
of Sept 1896  
J. C. Rex  
Notary Public  
Wm M<sup>th</sup> Intosh  
mark

Ex parte

No. 60.

Wm. Ellen Banks

Ellen Banks

v.

Deposition of  
J. P. Berryhill

Book 16 at 100

Filed Aug 5, 1886.

H. W. Jacobus Secy.

U. S. P. M. Turner Atty.

Wm. H. H. D. S.



The deposition of J. D. Berryhill, a  
Creek citizen, taken on the 17th day  
of Aug 85 between the hours of 5  
o'clock P.M. and 6 o'clock P.M.  
at the Public Office, in the  
Town of Englewood, Creek Nation,  
to be read in evidence on the  
part of Plaintiff Mrs. Ellen  
Banks for citizenship in the  
Creek Nation is as follows before  
the Hon. <sup>the Citizens</sup> ~~the~~ <sup>the</sup> ~~the~~ <sup>the</sup>  
M. J. D. & the Adversary

I am the uncle of Mrs. Ellen  
Banks her mother having been  
my sister, Missouri Berryhill  
my father came from Ala to Ok  
some time between 1848 and 1853.  
I do not exactly recollect, my father  
was one quarter Creek Indian  
and belonged to the Creek tribe  
in Ala, before the Creeks were  
removed to the Indian Territory  
by the U.S. government, I came  
to the Creek Nation in 1883 and  
was allowed my right here  
I have a great many relatives  
here who are recognized as  
Indians and, Mrs. Banks is  
as much entitled to her rights  
here as any of the rest of the  
family, and I think they would  
allow the claim if our Council  
had not passed the Union



Act on Oct 26<sup>th</sup> 1888, Mrs  
Banks came to this country  
about two years ago and  
she has not had her right to  
citizenship passed in ~~beams~~  
~~that is no tribal~~ ~~history~~  
~~that was passed in of such~~  
I know the children of  
Mrs Ellen Banks, their names  
are as follows, Malissa L.  
Ellen P. Winston, Albert P.  
and Ada R. Banks. Mrs  
Banks is one eighth Creek  
Indian. S. J. Berryhill

I, Thos. F. Turner a Notary Public  
in and for the Northern Judicial  
Dist. of the Indian Territory do  
certify that the foregoing deposi-  
tion of S. J. Berryhill was taken  
before me, and was read to and  
subscribed by him, in my presence  
at the time and place and in  
the cause mentioned in the caption;  
the said Berryhill having been  
first sworn by me that the  
evidence he should give in the  
cause should be the truth,  
the whole truth and nothing  
but the truth, and that his  
statements were reduced to  
writing by J. R. Banks at my  
request in said witness's  
presence, in testimony  
whereof I hereunto set my  
hand and official seal  
at Enfield Creek Nation  
this 17<sup>th</sup> day of Aug. 1888

Thos. F. Turner  
Notary Public

**End**

1896  
CR 59

1896  
CR 59

No-59

Jemsha Gibson  
vs-  
Creek Nation

Complaint  
and Expositions

Filed Aug 30. 1886.

W. W. Faraway Secy

Citizenship granted  
Jemsha Gibson &  
six children

H. S. Halfenberger  
Attorney at Law

2. Exercises  
L. S. H. Smith

To the rear  
of the station

✓ 210 . . . . .

*(continued)*



Deposition of George H. ...  
taken on 29 day of July 1870-  
at H. H. Holcomb's office in  
... to be read ...  
... who in ...  
... and  
the ... Defendant  
said ... sitting at  
...  
... being ...  
... 62 years old - I am a  
... of the ...  
Gorusha Wilson & ...  
I am ... cousin of the  
William Berry Hill was the father  
of Gorusha Berry Hill now Gorusha  
Berry Hill and Mary Berry Hill  
now Mary ...  
~~daughter of William Berry Hill.~~  
William Berry Hill was my first  
cousin, I know plaintiff in  
this ... are ... by blood  
and the ... persons they  
represent them ...  
I know ...  
and he is a ... Citizen ...

and first cousin of mine.  
I know <sup>you</sup> John, and I know all  
in relation by blood. I know  
him citizen by blood relation  
me or R. H. Stark & Co.

Witness  
H. H. H. H.

J. H. H. H.  
S. W. H. H. H. H.  
mark

Subscribed and sworn to before me  
this 29 day of July, 1891.

H. H. H. H. H. H.  
Notary Public.

Deposition  
of Johnself

in behalf of  
Arusha Gibson and  
Mary Fenn

Deposition of John B. Delp.  
Taken ~~on~~ the 25 day of  
July 1896. At Big Lake - S.D.  
In the U.S. Commission office  
To be read in an action Jarusha  
Gibson <sup>formerly</sup> ~~now~~ Jarusha. Berryhill  
+ Mary Goshue. <sup>formerly</sup> Mary  
Berryhill Plaintiffs and  
the Creek Nation Defendants  
before the U.S. Commission  
at Vinita, Cherokee Nation.  
J.S.

John self being duly  
sworn by me. Deposeth  
and says. ~~My~~ age is  
about 41 years old. and  
a Creek citizen by blood  
and resides in the Creek Nation  
and has been about 20 years.  
He states that he filed application  
for himself, Jarusha Berryhill  
Jarusha Berryhill. Mary Berry-  
hill. and Silas Berryhill in the  
Berryhill. He states that he  
filed said claims in the  
year 1883 or 1884. He states  
that George M. Stidow & John  
son Doyle was his witnesses



Witness also I filed a petition  
for my Mother Brothers & sisters  
and all of my fresh was a  
dropted. He states that Jarucho  
Berryhill and Mary Berry  
-hill was proum to be citizens  
and added to be placed on  
the roll at the same time  
that I and Mother Brothers &  
sisters was enrolled. He further  
states that he is <sup>Creek</sup> a citizen by blood  
He states that Nathan Berryhill  
is a Creek Citizen by blood.  
He states that William Berry  
-hill is the brother of Nathan  
Berryhill. He states that he  
is first cousin to Jarucho Gibson  
Hosah Jarucho Berryhill and  
he says he is a first Cousin  
to Mary Hosah. Formerly Mary  
Berryhill. He states that  
he knows that William  
Berryhill is the father of  
Jarucho Gibson formerly  
Jarucho Berryhill & Mary  
Hosah formerly Mary Berry  
-hill. the persons herein  
He states that Riley Mc-



entrust was his lawyer. When  
the case was called to the Creek  
Supreme Court and he  
states that he and all the  
Citizens was confirm by the  
Supreme Court of the <sup>Creek</sup> Nation  
and ordered to be placed on  
the roll of Citizenship. He  
states that he knows that Jane  
- she is on + Mary Hooker  
Harvey Carshaw + Mary Berry-  
hill. ~~the~~ Citizens of the  
Creek Nation and was  
deceived so by the District  
Court of Enfield District  
and confirm by the  
Supreme Court of the  
Creek Nation. &c.

John R. Self

Subscribed and sworn  
and sworn to before me  
this 25 day of July,  
1896

W. S. Wolfenbarger  
Notary Public

Arusha Gibson.  
—  
Creek Nation

---

True copy. of  
Deposition of  
John Self.

---

Deposition of Pole Mc Intosh  
Taken ~~on~~ this 25 day  
of July 1896 at Bufalo 45  
in the U.S. Commissioner's  
office to be read in an action  
between ~~the~~ <sup>Josephine M. Berg</sup> + Garwood Gibson  
the mother of Garwood Berg the plaintiff  
and the Creek Nation Defendants  
now pending before said Com-  
missioner Vineta Schooker  
Native D.I. before me a  
Notary Public

~~He~~ Pole McIntosh being duly  
sworn dep. that and that  
that his age is about 55-40-  
and lives in the Creek Nation  
at Bufalo D.T. He states  
he is second Chief of the Creek  
Nation. He states that  
~~he~~ carried the case in dispute  
up to the Creek Supreme Court  
and the Supreme Court confirmed  
the action of the District Court.  
he lived on or about 1887 or 1888.  
~~on or about 1889 or 1894.~~ Witness further  
states after he had won the  
case in the Supreme Court  
he ~~helped~~ <sup>helped</sup> J.T. Burghill John self

From self. all went to the  
chief and asked him to enroll  
them. He states that the Chief said  
that they had proved themselves  
to be Citizens. and it was not  
necessary to enroll them or  
give them a certificate. He states  
that they were proving them-  
selves to be Citizens. and that  
they were adopted Citizens. and  
did not need any certificate  
of Citizenship. He states further  
the Chief said at the time if  
it turned out that they had  
proved themselves in. through  
fraud he would drop them  
off.

Roley McIntosh

Subscribed and sworn to be  
for me this 25 day of  
July 1896.

W. J. Wolfenbarger  
Notary public.



Deposition of John C. Self  
Taken on the 25-day of  
July 1896. At Bufala 95  
On the U. S. Commissioner  
of file to be read in an action  
of ~~Mary Hooshee Formally~~  
Jarusha Gibson Formally  
Jarusha Berryhill Plain-  
tiff and Creek Nation  
Defendant. Now pending  
before the Dawes Commission  
at Wineta Cherokee Nation  
I. T. Before me Notary Public  
John Self being duly  
sworn depose and say.  
My age is 41 years and  
reside in ~~the Creek Nation~~  
Bufala I. T. I was born  
in 1855. I know Jarusha  
Gibson Formally Jarusha  
Berryhill. I know she  
is a creek by blood. ~~Hettie~~  
~~Berryhill~~. Plaintiff is a  
sister to Mary Hooshee. Form-  
ally Mary Berryhill. Nelson  
Berryhill was the father  
of Jarusha the plaintiff  
I know plaintiff and have  
known her for a long time.



2572. I know she is a creek  
by blood and she and  
Sister Mary Berryhill now  
Mary Foster are creek by  
blood and has all ways have  
been considered creek. They  
and their husband and chil-  
- dren have fenced & cleared  
up and made farms on the  
Public Domain. and has  
been on said farms for some  
years and their right  
to hold said land has never  
questioned. Witness states further  
he is first cousin to John Peter  
- Timmer Jarusha Gibson from  
- also Jarusha Berryhill. Witness  
states further that Jarusha Gibson  
formerly Jarusha Berryhill put in  
her application for citizenship  
at the same time that he put  
his in. That Rosa Mc. Intosh  
represented both at the same  
time and all three of them  
was ordered to be placed on  
the Citizen rolls which will  
appear in this cause. Witness  
further states that father

iel Berryhill is a Creek.  
Citizen by blood and  
resides in the Creek Nation.  
He states further that Nathaniel  
Berryhill is a full Citizen &  
~~brother to William Berryhill~~  
He states further that Jarusha  
Gibson formerly Jarusha Berry-  
hill is an uncle to her. He  
states further that her Town  
Chief all ways recognized  
her and family as Citizens  
of the Creek Nation. Witness  
further states that he knows  
that Jarusha Gibson and  
her husband are the & named  
persons that they represent  
themselves to be. He states  
that he knows that Jarusha  
Gibson formerly Jarusha  
Berryhill is entitled to be  
made a full Citizen of the  
Creek Nation

John R. Jeff.  
Subscribed and sworn to  
before me. This 25 day  
of July 1896. R. S. Simpson  
Notary Public.

BEFORE THE HONORABLE DAWES COMMISSION ON CITIZENSHIP SITTING  
AT VINITA, INDIAN TERRITORY.

|                             |        |
|-----------------------------|--------|
| -----X                      |        |
| Jerusha Gibson,             |        |
| Mary Forshee, nee Berryhill | BRIEF  |
| Mattie Morton.              |        |
| Petition to be enrolled     | BRIEF. |
| as citizens of the Creek    |        |
| Nation, Indian Territory.   |        |
| -----X                      |        |

May it please the Honorable Commission:

In the matter of the claim of the above named parties/ Jerusha Gibson, Mary Forshee, nee Berryhill, and Mattie Morton, for citizenship in the Creek or Muscogee Nation, Indian Territory, I desire to submit the following statement of facts and law governing this case:-

and  
In the year 1883, Jerusha Gibson, Mary Forshee, formerly Berryhill, brought suit in the District Court of Eufaula District, Creek Nation, Indian Territory, to establish their rights as citizens of said Nation. Said District Court had original jurisdiction of such cases at the time this suit was brought. The result of this suit was that these parties, Jerusha Gibson and Mary Forshee, were declared to be citizens of the said Creek Nation in the year 1883. The Creek Nation - through its representative - appealed from the decision of the District Court to the Supreme Court of said Nation; and the Supreme Court, after reviewing the case, affirmed the decision of the said District Court of Eufaula District, and ordered these plaintiffs enrolled on the Citizenship Roll of the Creek Nation. See Deposition of Roley McIntosh, and also that of C.S. Smith. See also the Creek Statute of 1880, page 57; also the Creek Statute of 1890 provides "That all persons having resided out of the limits of the Muskogee Nation, and whose rights as citizens of the same may be questionable in consequence of intermarriage with non-citizens, shall be bona fide citizens of this Nation; provided they can prove to the satisfaction of the proper authorities that they are of the Muskogee descent, and not further removed than the fourth degree". Section 1, page 63 Creek Statute of 1890.

Section 3 of the same book says: "Any person claiming citizenship under these provisions, shall, in order to establish his or her rights, prove the same by a responsible and disinterested native witness before the District Court. (Sec. 3, p. 57, Creek Stats., 1880)."

See depositions of Roley McIntosh, C.S.Smith, John Self.

Jerusha Gibson, formerly Jerusha Berryhill, is a Creek Indian by blood; Mary Forshee, nee Berryhill, is also a Creek Indian by blood. Mattie Morton is the daughter of Mary Forshee, nee Berryhill, and an Indian by blood. See depositions of C.S.Smith, Roley McIntosh, John Self and Nathaniel Berryhill, all citizens of the Creek Nation by blood (Roley McIntosh is Second Chief at this time).

May it please the Honorable Commission:

That, in order to deny the rights of citizenship in the Creek Nation to these plaintiffs, you must disregard and treat as a nullity the action of the District Court of Eufaula District, and also the Supreme Court - the highest tribunal - of the Creek Nation, which have both declared that these plaintiffs were Creek Indians by blood and entitled to full citizenship. If there is any virtue in human testimony, these plaintiffs have ~~been~~ fully proven their claims to be just, and have shown - beyond a reasonable doubt - that they should be enrolled and recognized as citizens of the Creek Nation. George W. Stidham, <sup>Sr.</sup> and Judge Jackson Doyle - both citizens of the Creek Nation - were the two witnesses for these plaintiffs before the said District Court of Eufaula District; and, upon their testimony, these plaintiffs - together with others - were adjudged citizens of the Creek Nation by the said District Court.

C.S.Smith states that he was Clerk of the District Court of Eufaula District, Creek Nation, in the years of 1882, 1883 and 1884; that John Self, A.E. Self and Z.T. Berryhill were representing the families of Self, Berryhill and Wills; Judge Freeman presided in said Court at that time, and that the Court decided (as above stated) that these plaintiffs are Creek Indians by blood and entitled to citizenship in that Nation; and ordered their names placed upon



(3)

the rolls of that Nation. See depositions of Roley McIntosh and C. S. Smith.

Some time in the year 1888 or 1889 the Creek Nation appealed said case to the Supreme Court of that Nation where it was again decided that these plaintiffs were Creek Indians by blood and entitled to full citizenship in that Nation, and ordered their names enrolled as such.

Now, in conclusion, may it please the Commission, if the actions of the duly constituted authorities of the Creek Nation are to be duly regarded, then I am unable to perceive why your Honorable body should not so declare at this time.

All of which is most respectfully submitted to this Honorable Commission - confidently believing that, after a careful review of the law and the facts in connection with this case, these plaintiffs will receive justice at your hands, and be enrolled as citizens of the Creek or Muskogee Nation.

*W. S. Kocfenberger*  
Attorney for the Plaintiffs.

DATED AT  
Muscogee, Indian Territory, August 10, 1896.



to the Honorable Juss. Commission  
sitting as a court to try all claims  
for title and claims on the 29.  
Jarusha Gibson. formerly  
Jarusha ~~Berryhill~~.  
who is the mother of the  
following named children  
to wit.

William Gibson age 15.  
John E. Gibson age 13.  
Joseph Gibson " 11.  
James Gibson " 9.  
Elyas Gibson " 6.  
Mary Gibson " 4. Plaintiff.

10-  
Creek Nation is against  
the Plaintiff Et. al. Jarusha  
Gibson formerly Jarusha  
Berryhill. complains of the  
Creek Nation. and for cause  
of action states, she and her  
children are Indians by blood  
and was born in the State  
of Alabama in the Creek  
Nation East of the Mississ-  
ippi River. She states  
that her age is about 44  
years. She states that her  
and husband & children are

now living at the Creek Station about 15 miles  
west of Muskogee P. O. She states  
that herself her husband & children  
have fenced and improved about 50-  
Acres of Land of the public domain  
That her husband and children and  
herself are now living on said  
farm and have been for about  
five years. She states that she  
applied to the Council for  
Citizenship in the year 1888, for  
herself and children. That  
there was a committee appointed  
for the purpose of investigating  
the claim of your petitioner.  
She states that her application  
for Citizenship was passed on by  
said committee and was agreed  
and reported favorable. She  
states that said committee found  
that she was a ~~over~~ Indian in  
blood and recommended to the  
Council. That she be enrolled  
upon the citizenship roll - which  
report is here attached and ask  
that the same be made part of  
this Complaint, here marked.  
She states that she is the  
daughter of William ~~and~~

who was an Indian by blood  
that Nathaniel Berryhill is  
a Creek Indian by blood who  
lives near Checotah in the Creek  
Nation. That Nathaniel Berry-  
hill is a full brother to William  
Berryhill. That Nathaniel Berry-  
hill is the uncle of this plaintiff  
she states that George Berry  
is a ~~common infant cousin to~~  
~~this plaintiff~~ ~~friend~~ ~~cousin to~~  
~~John T.~~ and a Creek Indian  
by blood. She states that  
John Self is a Creek citizen by  
blood and resides in the Creek  
Nation and has resided there  
for about 20 years. She states  
that she and her children  
are Indian by blood and  
are entitled to be made citizens  
of the Creek Nation and entitled  
to ~~all~~ ~~the~~ rights and privile-  
ges and immunities in the  
Creek Nation as any other  
citizen of said Nation. She  
states that her and her children  
are unjustly and unlawfully  
deprived of their rights in said  
Creek Nation. &c.



Wherefore plaintiffs pray that  
they be made full Citizens of the  
Creek Nation. And that they  
shall have all the rights and privi-  
leges and immunities in the  
Creek Nation as is enjoyed by  
any other Creek Citizen of  
the said Nation. That this Honorable  
Commission will secure to them  
plaintiffs all the rights and privi-  
leges as any other citizen of said  
Nation and for all other,  
and further relief as may  
seem right.

Creek Nation I.T.  
personally appeared before  
me H.S. Wolfenbarger, Notary  
public. Jemsha Gibson and  
states on oath that the facts  
set out in the above complaint  
are true to the best of her knowl-  
edge and belief. - Jemsha Gibson

Subscribed + sworn to before  
me this 29 day of July.

1896 -

H.S. Wolfenbarger  
Notary Public -

Citizenship Comm<sup>tee</sup> Room.  
Oct. 31<sup>st</sup>, 98

We your Committee on to whom  
was referred the applicants of  
Mary Hochee and Jernsha  
Libson for investigation,

We have carefully examined  
into their cases & find that  
they have been allowed or  
adopted before the Dist.  
Judges; was proven by  
Chas. Smith, and think  
that they are citizen of this  
nation, but their name  
is not on the roll.

So we recommend your Hon.  
body that these names  
should be place on the roll  
of the adopted Citizens.

J. H. Smith. John Wesley  
Clerk. Chairman  
Respectfully

POOR ORIGINAL -  
BEST AVAILABLE COPY



Be it enacted by National  
Council of the Muscogee Nation  
that said Mary Hoshu  
and Jerusha Gibson are  
hereby declared citizen  
of the N. N. and it is  
Prim. chief hereby authorize to place  
these names on the rolls  
of the adopted Citizen.

POOR ORIGINAL -  
BEST AVAILABLE COPY

**End**

1896  
CR 60

1896  
CR 60

FILED OCT 19 1964  
A. E. M. K. R.  
COM'R.

1. "Avery" - 100

POOR ORIGINAL -  
BEST AVAILABLE COPY

Before the Dawes Commission, Vinita, Indian Territory.

Edward Gibson, :  
:-----Plaintiff,  
African descent:  
vs. ( Answer,  
The Creek Nation,-----Defendant.

The defendant for answer to the applicants application  
says:

( That the said applicants states that he was born in the State  
of Tennessee and came to the Creek Nation in 1865 and settled upon  
a farm and has remained in the Nation ever since and bases his  
right to citizenship upon the 2nd. Article of the Treaty of 1866.

This defendant denies that the applicant is entitled to the  
benefit of said Treaty because it appears from the statements in  
said application that the said applicant was an intruder and not  
lawfully residing in this Nation, therefore this defendant says  
that the facts set forth in the said application do not, if true,  
establish his right to citizenship in this Nation and the defendant  
moves the Commission to dismiss the same.

S. R. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

says that he believes the matters and things as  
set forth in the foregoing answer to be true.

Bunny McIntosh

Sworn to and subscribed before me this 22 day of October, 1896.  
Notary Public for the State of Oklahoma  
J. H. [Signature]



N. F. Hancock states that on the 8<sup>th</sup>  
day of September 1896, he witnessed the mailing  
at Worcester, Mass. a registered letter addressed  
to "John Estabrocker & Company, Inc." and  
that said envelope contained a copy of  
a petition of Richard Wilson to the Commission  
on the subject of his citizenship in  
the State of Massachusetts and copies of the original  
petition and a copy of the petition in support  
of said petition.

N. F. Hancock

Witnessed and sworn to before me this 8<sup>th</sup> day  
of September 1896.

Russell Higgins.

Notary Public

Commission Expires July 2, 1898.

Samuel J. May

Assistant of  
the Board of

---

Statement of William McIntosh

William McIntosh states that he lives in the  
County of ... State of ... and  
has been in the ... since 1861.  
He is a ... and has been in the ...  
since 1861; he is now  
in the ... and has been in the ...  
since 1861.

Witness my hand  
at ...

William McIntosh

Subscribed and sworn to before me this  
... day of ... 1861.

Notary Public

My Comm. Expires ...

11. 11. 11.

11. 11. 11.

11. 11. 11.





No 4000

Chickadee

FILED SEP 1 1896. ☆

A. S. KENNON

COM R

Admitted as a member  
of the

Salmon

Club

Petition of Edward Gibson

To the Honorable Henry L. Dawes, Frank C. Armstrong,  
N. S. McKimmon & B. C. Cushman, J. B. Montgomery,  
Commissioners to the Free Civilized States.

I, Edward Gibson, respectfully state and declare that he is of African descent, that on June 4<sup>th</sup> 1866, and for about a year since then he has lawfully resided in the Free Nation and under the laws and usages of said nation; that at said date and for about a year since then, he has resided in said Nation with his wife who was a slave of a Free Nation; that he has resided in said Nation since said date under said laws and usages.

Therefore I, Edward Gibson, pray that he be enrolled as a citizen of said nation, and that I, Edward Gibson, would ever bear true faith and allegiance to said nation.

Witness  
my hand

Edward Gibson  
man

Subscribed and sworn to before me this  
7<sup>th</sup> day of September 1866.

Pearl Cushman

Notary Public.

Geo. H. Johnson      Chas. T. Coleman  
**Johnson & Coleman,**  
Lawyers

11.11.1881  
~~Little Rock Ark.~~      11th St. N. W.

Dear Sir, I have the pleasure to inform you

that your order has been received.

Very respectfully,

Chas. T. Coleman

**End**

1896  
CR 61

1896  
CR 61



Exeter, N.H.  
Oct-1876

Hon J. S. Dimes,  
Vinton, N.H.  
Dear Sir:-

I am writing  
this in support  
of your in the case  
of J. J. Grayson vs.  
Jes. Sprague & Co.  
all the money for

Yours Truly  
Edw. Brock

Apparatus  
of  
Eck Bruns

United States of America  
Court of Justice  
Columbus, I.T.

This is to certify that  
J. E. E. Brown, atty for  
J. H. Brown in his suit  
for damages from  
this day received of  
the Hon of the Court  
that an exact copy  
of complaint and all  
deposits of all evidence  
introduced in support  
of same.

J. E. E. Brown

Attest and Subscribed to before  
me this 10th day August 1896

(J. H. Brown) Notary Public

No-98,  
Hans Greyer  
-Ms- Et-al  
Crispman  
Crispman  
in Egypt

Filed Aug. 30 1896.  
AS McKenyon  
Crispman

Revised

Ed. & Bros. May  
Eugene La!

United States of America  
Northern Judicial Dist.

Thos. Grayson & Chisom vs. Cain

The Creek Nation

To the Hon. James Com-  
missioner now sitting at  
Vinita, I.T.

And now comes your  
petitioners, in the above  
stated case, complaining  
would state that "he" Thos.  
Grayson, is an Indian  
Citizen by blood, being  
"1/4" one quarter Creek In-  
dian, being the son of  
John Grayson, who was  
"1/2" one half Creek by blood.

And your petitioners  
would state that he has  
resided in the Creek Nation  
for several years and  
prior to the time the  
claim was or has was  
made.

And further would state  
that he has, three children  
by blood, Indian, named  
Thos., Jessie D. Francis,  
Nathaniel, Joe, Robt, Herbert



Mulhise, Cora, Peter <sup>Frank</sup> <sup>19</sup> <sup>21</sup> <sup>22</sup> <sup>23</sup> <sup>24</sup> <sup>25</sup> <sup>26</sup> <sup>27</sup> <sup>28</sup> <sup>29</sup> <sup>30</sup> <sup>31</sup> <sup>32</sup> <sup>33</sup> <sup>34</sup> <sup>35</sup> <sup>36</sup> <sup>37</sup> <sup>38</sup> <sup>39</sup> <sup>40</sup> <sup>41</sup> <sup>42</sup> <sup>43</sup> <sup>44</sup> <sup>45</sup> <sup>46</sup> <sup>47</sup> <sup>48</sup> <sup>49</sup> <sup>50</sup> <sup>51</sup> <sup>52</sup> <sup>53</sup> <sup>54</sup> <sup>55</sup> <sup>56</sup> <sup>57</sup> <sup>58</sup> <sup>59</sup> <sup>60</sup> <sup>61</sup> <sup>62</sup> <sup>63</sup> <sup>64</sup> <sup>65</sup> <sup>66</sup> <sup>67</sup> <sup>68</sup> <sup>69</sup> <sup>70</sup> <sup>71</sup> <sup>72</sup> <sup>73</sup> <sup>74</sup> <sup>75</sup> <sup>76</sup> <sup>77</sup> <sup>78</sup> <sup>79</sup> <sup>80</sup> <sup>81</sup> <sup>82</sup> <sup>83</sup> <sup>84</sup> <sup>85</sup> <sup>86</sup> <sup>87</sup> <sup>88</sup> <sup>89</sup> <sup>90</sup> <sup>91</sup> <sup>92</sup> <sup>93</sup> <sup>94</sup> <sup>95</sup> <sup>96</sup> <sup>97</sup> <sup>98</sup> <sup>99</sup> <sup>100</sup> <sup>101</sup> <sup>102</sup> <sup>103</sup> <sup>104</sup> <sup>105</sup> <sup>106</sup> <sup>107</sup> <sup>108</sup> <sup>109</sup> <sup>110</sup> <sup>111</sup> <sup>112</sup> <sup>113</sup> <sup>114</sup> <sup>115</sup> <sup>116</sup> <sup>117</sup> <sup>118</sup> <sup>119</sup> <sup>120</sup> <sup>121</sup> <sup>122</sup> <sup>123</sup> <sup>124</sup> <sup>125</sup> <sup>126</sup> <sup>127</sup> <sup>128</sup> <sup>129</sup> <sup>130</sup> <sup>131</sup> <sup>132</sup> <sup>133</sup> <sup>134</sup> <sup>135</sup> <sup>136</sup> <sup>137</sup> <sup>138</sup> <sup>139</sup> <sup>140</sup> <sup>141</sup> <sup>142</sup> <sup>143</sup> <sup>144</sup> <sup>145</sup> <sup>146</sup> <sup>147</sup> <sup>148</sup> <sup>149</sup> <sup>150</sup> <sup>151</sup> <sup>152</sup> <sup>153</sup> <sup>154</sup> 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<sup>617</sup> <sup>618</sup> <sup>619</sup> <sup>620</sup> <sup>621</sup> <sup>622</sup> <sup>623</sup> <sup>624</sup> <sup>625</sup> <sup>626</sup> <sup>627</sup> <sup>628</sup> <sup>629</sup> <sup>630</sup> <sup>631</sup> <sup>632</sup> <sup>633</sup> <sup>634</sup> <sup>635</sup> <sup>636</sup> <sup>637</sup> <sup>638</sup> <sup>639</sup> <sup>640</sup> <sup>641</sup> <sup>642</sup> <sup>643</sup> <sup>644</sup> <sup>645</sup> <sup>646</sup> <sup>647</sup> <sup>648</sup> <sup>649</sup> <sup>650</sup> <sup>651</sup> <sup>652</sup> <sup>653</sup> <sup>654</sup> <sup>655</sup> <sup>656</sup> <sup>657</sup> <sup>658</sup> <sup>659</sup> <sup>660</sup> <sup>661</sup> <sup>662</sup> <sup>663</sup> <sup>664</sup> <sup>665</sup> <sup>666</sup> <sup>667</sup> <sup>668</sup> <sup>669</sup> <sup>670</sup> <sup>671</sup> <sup>672</sup> <sup>673</sup> <sup>674</sup> <sup>675</sup> <sup>676</sup> <sup>677</sup> <sup>678</sup> <sup>679</sup> <sup>680</sup> <sup>681</sup> <sup>682</sup> 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<sup>947</sup> <sup>948</sup> <sup>949</sup> <sup>950</sup> <sup>951</sup> <sup>952</sup> <sup>953</sup> <sup>954</sup> <sup>955</sup> <sup>956</sup> <sup>957</sup> <sup>958</sup> <sup>959</sup> <sup>960</sup> <sup>961</sup> <sup>962</sup> <sup>963</sup> <sup>964</sup> <sup>965</sup> <sup>966</sup> <sup>967</sup> <sup>968</sup> <sup>969</sup> <sup>970</sup> <sup>971</sup> <sup>972</sup> <sup>973</sup> <sup>974</sup> <sup>975</sup> <sup>976</sup> <sup>977</sup> <sup>978</sup> <sup>979</sup> <sup>980</sup> <sup>981</sup> <sup>982</sup> <sup>983</sup> <sup>984</sup> <sup>985</sup> <sup>986</sup> <sup>987</sup> <sup>988</sup> <sup>989</sup> <sup>990</sup> <sup>991</sup> <sup>992</sup> <sup>993</sup> <sup>994</sup> <sup>995</sup> <sup>996</sup> <sup>997</sup> <sup>998</sup> <sup>999</sup> <sup>1000</sup> <sup>1001</sup> <sup>1002</sup> <sup>1003</sup> <sup>1004</sup> <sup>1005</sup> <sup>1006</sup> <sup>1007</sup> <sup>1008</sup> <sup>1009</sup> <sup>1010</sup> <sup>1011</sup> <sup>1012</sup> <sup>1013</sup> <sup>1014</sup> <sup>1015</sup> <sup>1016</sup> <sup>1017</sup> <sup>1018</sup> <sup>1019</sup> <sup>1020</sup> <sup>1021</sup> <sup>1022</sup> <sup>1023</sup> <sup>1024</sup> <sup>1025</sup> <sup>1026</sup> <sup>1027</sup> <sup>1028</sup> <sup>1029</sup> <sup>1030</sup> <sup>1031</sup> <sup>1032</sup> <sup>1033</sup> <sup>1034</sup> <sup>1035</sup> <sup>1036</sup> <sup>1037</sup> <sup>1038</sup> <sup>1039</sup> <sup>1040</sup> <sup>1041</sup> <sup>1042</sup> <sup>1043</sup> <sup>1044</sup> <sup>1045</sup> <sup>1046</sup> <sup>1047</sup> <sup>1048</sup> <sup>1049</sup> <sup>1050</sup> <sup>1051</sup> <sup>1052</sup> <sup>1053</sup> <sup>1054</sup> <sup>1055</sup> <sup>1056</sup> <sup>1057</sup> <sup>1058</sup> <sup>1059</sup> <sup>1060</sup> <sup>1061</sup> <sup>1062</sup> <sup>1063</sup> <sup>1064</sup> <sup>1065</sup> <sup>1066</sup> <sup>1067</sup> <sup>1068</sup> <sup>1069</sup> <sup>1070</sup> <sup>1071</sup> <sup>1072</sup> <sup>1073</sup> <sup>1074</sup> <sup>1075</sup> <sup>1076</sup> <sup>1077</sup> <sup>1078</sup> <sup>1079</sup> <sup>1080</sup> <sup>1081</sup> <sup>1082</sup> <sup>1083</sup> <sup>1084</sup> <sup>1085</sup> <sup>1086</sup> <sup>1087</sup> <sup>1088</sup> <sup>1089</sup> <sup>1090</sup> <sup>1091</sup> <sup>1092</sup> <sup>1093</sup> <sup>1094</sup> <sup>1095</sup> <sup>1096</sup> <sup>1097</sup> <sup>1098</sup> <sup>1099</sup> <sup>1100</sup> <sup>1101</sup> <sup>1102</sup> <sup>1103</sup> <sup>1104</sup> <sup>1105</sup> <sup>1106</sup> <sup>1107</sup> <sup>1108</sup> <sup>1109</sup> <sup>1110</sup> <sup>1111</sup> <sup>1112</sup> <sup>1113</sup> <sup>1114</sup> <sup>1115</sup> <sup>1116</sup> <sup>1117</sup> <sup>1118</sup> <sup>1119</sup> <sup>1120</sup> <sup>1121</sup> <sup>1122</sup> <sup>1123</sup> <sup>1124</sup> <sup>1125</sup> <sup>1126</sup> <sup>1127</sup> <sup>1128</sup> <sup>1129</sup> <sup>1130</sup> <sup>1131</sup> <sup>1132</sup> <sup>1133</sup> <sup>1134</sup> <sup>1135</sup> 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<sup>1198</sup> <sup>1199</sup> <sup>1200</sup> <sup>1201</sup> <sup>1202</sup> <sup>1203</sup> <sup>1204</sup> <sup>1205</sup> <sup>1206</sup> <sup>1207</sup> <sup>1208</sup> <sup>1209</sup> <sup>1210</sup> <sup>1211</sup> <sup>1212</sup> <sup>1213</sup> <sup>1214</sup> <sup>1215</sup> <sup>1216</sup> <sup>1217</sup> <sup>1218</sup> <sup>1219</sup> <sup>1220</sup> <sup>1221</sup> <sup>1222</sup> <sup>1223</sup> <sup>1224</sup> <sup>1225</sup> <sup>1226</sup> <sup>1227</sup> <sup>1228</sup> <sup>1229</sup> <sup>1230</sup> <sup>1231</sup> <sup>1232</sup> <sup>1233</sup> <sup>1234</sup> <sup>1235</sup> <sup>1236</sup> <sup>1237</sup> <sup>1238</sup> <sup>1239</sup> <sup>1240</sup> <sup>1241</sup> <sup>1242</sup> <sup>1243</sup> <sup>1244</sup> <sup>1245</sup> <sup>1246</sup> <sup>1247</sup> <sup>1248</sup> <sup>1249</sup> <sup>1250</sup> <sup>1251</sup> <sup>1252</sup> <sup>1253</sup> <sup>1254</sup> <sup>1255</sup> <sup>1256</sup> <sup>1257</sup> <sup>1258</sup> <sup>1259</sup> 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<sup>1322</sup> <sup>1323</sup> <sup>1324</sup> <sup>1325</sup> <sup>1326</sup> <sup>1327</sup> <sup>1328</sup> <sup>1329</sup> <sup>1330</sup> <sup>1331</sup> <sup>1332</sup> <sup>1333</sup> <sup>1334</sup> <sup>1335</sup> <sup>1336</sup> <sup>1337</sup> <sup>1338</sup> <sup>1339</sup> <sup>1340</sup> <sup>1341</sup> <sup>1342</sup> <sup>1343</sup> <sup>1344</sup> <sup>1345</sup> <sup>1346</sup> <sup>1347</sup> <sup>1348</sup> <sup>1349</sup> <sup>1350</sup> <sup>1351</sup> <sup>1352</sup> <sup>1353</sup> <sup>1354</sup> <sup>1355</sup> <sup>1356</sup> <sup>1357</sup> <sup>1358</sup> <sup>1359</sup> <

to Gov. Robinson on an act  
of such Indian blood.

Further would state  
that he has relatives by  
blood and of Indian  
extractions in said Const  
nition. And, has always  
been regarded as such by  
them. He Thomas Grayson  
has never been forced  
to pay a tax of any  
kind, and as Mr. Clegg  
never pay, but has been  
known as an Indian citizen  
whose farming can sub.  
and it might prove that  
his name. Taylor with  
the of his offspring he  
assay to the real of  
Indian citizenship.

In every Court, now or for  
~~his name Robert Grayson~~ ~~John J. Grayson~~  
~~Robert Grayson~~ ~~Frank M. Grayson~~  
~~Robert Grayson~~ ~~Walter Grayson~~  
~~Corra Grayson~~ ~~Reatha Grayson~~ ~~By J. Grayson~~

Subscribe and Swore to before a notary Public  
in the Central Judicial Division for Allen this 6 day of  
August 1886

John J. Gilmore  
Notary Public

And now comes Jesse, brother  
Robert, Anna, Richard and Walter  
Mayson, by next friend and  
brother, Thomas J. Mayson,  
who states that the above  
and foregoing facts alleg-  
ed in this case are correct.  
J. H. J. Mayson

Sworn to & Subscribed to before  
this 10th August 1896  
J. H. J. Mayson  
Notary Public

BEFORE THE DAWES COMMISSION,  
SITTING AT VINITA, I.T.

Thomas Grayson and :  
Nine Children :-----Plaintiff.

VS. ( Petition to be enrolled.

The Creek Nation :-----Defendant.  
-----:-----

Comes the said Creek Nation by attorney and for answer  
to the plaintiff's complaint says:

First. That the said plaintiff is a white man and not a Creek  
Indian by blood.

Second. The defendant denies that the said plaintiff resided  
in the Creek Nation claiming to be a citizen thereof, prior to Oct.  
26, 1889, the date of the passage of the Alien Act.

Third. The defendant denies that the plaintiff has always been  
regarded by the authorities of the Creek Nation as a citizen or  
member of the tribe.

Fourth. And the defendant further denies that plaintiff was  
allowed to remain in the Nation without paying a tax on account of  
his being a citizen.

Fifth. Defendant further says that it appears from the state-  
ment in plaintiff's complaint that he has applied to the "Citizen-  
ship Commission", a regularly constituted tribunal of the defendant  
having jurisdiction to pass upon claims of persons asking to be  
enrolled as a citizen of this Nation and after introducing all his  
evidence in support of his claim to be enrolled as a citizen, the  
said Court upon such evidence rendered judgment against him,  
wherefore the defendant says the plaintiff is estopped from pro-  
secuting his said claim before this commission and his said com-  
plaint should be dismissed.



-2-

Sixth. The defendant says this cause should be dismissed because the said plaintiff does not prove his claim by a disinterested, native witness; the only witness in support of his said claim being a blood relation and a non-resident of this Nation.

*S. R. Callahan,*

Bunny McIntosh,  
Attorneys for defendant.

*Bunny McIntosh*  
says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_ 1896.

*Lucy M. Rogers (clerk)*

*My name expires Oct-10<sup>th</sup> 1900*



Красноярск

# hutton

Dear Father

1. A. 81

POOR ORIGINAL -  
BEST AVAILABLE COPY

IN THE MATTER OF THOMAS J. <sup>Grayson</sup> ~~MAKAY~~, et al.

VS.

THE MUSKOGEE OR CREEK NATION.

-----

Personally appeared before me the undersigned authority, Geo. W. Stidham, to me well known, who upon oath deposes and says:- That he is well acquainted with the said Thomas J. Grayson above mentioned, and knows that he has been regarded as a citizen of the United States since he (said Grayson) has been in the Creek Nation

He further states that he was permit-collector in 1895 and said Thomas J. Grayson did agree to pay his permit as a non-citizen but never did so.

Affiant further states that on account ~~affiant~~ of said Grayson living here in the employ of Peter R. Ewing a citizen, without a non-citizen permit; said Peter R. Ewing was reported to the District Judge of the Bufala District to be fined for hiring such non-citizen laborer without first obtaining a permit for him.

Affiant states further that the Creek law has nothing to do with taxing any non-citizen directly but that the citizen employer is the one who is liable for such tax.

G. W. Stidham,

Sworn to and subscribed before me this 23rd day of September A.D. 1896.

S. R. Callahan  
Creek National Attorney.

Permit me say Mr Chairman  
I do not deem it  
necessary that I should  
occupy very much of  
your valuable time in  
making an argument -  
But will endeavor in  
a very few words to re-  
sume the evidence es-  
sential to my case - and  
if possible throw some  
light on the case.

The applicant Thomas  
J. Grayson, is a son  
of old Jno Grayson, an  
old time Alabama Indian.  
The said Jno. Grayson  
being an Indian, of  
one half blood, and  
that Creek blood. Mak-  
ing his son, Thomas  
have quarter Creek In-  
dian.

Such assertion or state-  
ment, being supported  
by an affidavit of Mrs  
Sally McElister, who  
is by blood an Indian  
citizen. - She being one

quarter only white and  
the three quarters were  
Indian blood.

Mrs McClish's tes-  
timony goes to show  
that the applicant J. J.  
Grayson, is the son of  
Jno Grayson, who was  
her uncle, being rela-  
ted by blood.

And that the applicant  
J. J. Grayson, being a  
son of the said Jno  
Grayson, is thereby rela-  
ted to her by blood.

Gentlemen, the appli-  
cant has never forfeit-  
ed, his rights or claim  
of citizenship. but has  
always held to the o-  
pinion that he was  
an Indian citizen  
never claiming to be  
anything else.

And will say further  
that the applicant has  
always been looked  
upon by all and has

been also recognized  
by all, both citizens &  
non citizens. The poor  
faded man and the  
red man as an "In-  
dian" citizen -

That his Indian  
brother treat him, and  
also his family as In-  
dians. And the In-  
dian officials never  
require of said applicant  
any form of tax or any  
other except the road  
tax. The tax required  
~~of~~ Indians and In-  
dians alone. c c c

Again, I will say  
that your applicant  
has been time and  
again swindled and  
robbed by an seri-  
fied Indian ally,  
claiming that his  
claim was a just  
claim and another  
would pass through  
without a search.  
And he at last forced



a trial in his case.  
And after said case  
had been before court  
for sometime they  
handed down a decis-  
ion, declaring him  
to be an alien. And  
the evidence goes to  
show that he came  
to the country long  
before the alien act  
was passed. Therefore  
I don't see why such  
a decision was re-  
solved. But after such  
decision was made,  
he signified his in-  
tention of carrying  
his case before this  
Hon. body. whereupon  
said court told him  
to wait and failed  
to give him such  
papers as he wanted  
for some time they  
maintain all the  
time that they never  
eventually gave this.

name on the roll  
of Indian citizenship  
and give all rights for  
having that. But further  
the applicant having been  
beaten or often by Mr.  
superintendent Allyn and  
poles or often by and  
Indians that he is  
afraid that if he de-  
lays any longer that  
it will be too late.

And now in the name  
of right and justice I  
pray that you will  
place applicants name  
on the roll of Creek In-  
dian citizenship and  
give them full rights  
as such. Thanking  
you for your time -

Ed M. M.,  
att. for app..

Brief History  
of the  
City of London

Wm. H. Hays  
Et al

- 75 -

The end of the

---

Affidavit of  
Jm. Hays and Co.

---

Choctaw Nation &c.  
Central Dist N.S.

This is to certify that  
I, Mrs Sally McBlisk of  
the Choctaw Nat, do  
solemnly swear upon  
oath that, I am by  
birth and blood a free  
Indian citizen, being  
by blood  $\frac{3}{4}$  free Indian.  
Drawing my annuity &  
participating in all other  
free payments, and enjoy-  
ing all the rights that  
are usually accorded  
an Indian.

and that I am no stranger  
is by blood, notation of  
~~being~~ being a citizen.

My father being once  
noted by blood to  
his people. and I know  
of my own personal  
knowledge, and have for  
years past and long before  
he, "Thomas" knew himself  
that he was an Indian  
and that he could & should  
assert his claim in  
all courts.

Sally <sup>her</sup> McBlisk  
<sub>mark</sub>

Subscribed and sworn to before me this  
Sixth day of August 1896.

John T. Gilmore  
Notary Public



RETURN IN TEN DAYS TO  
WALTER T. FEAR, *See Book.*  
United States Commissioner,  
NORTHERN DISTRICT  
EUFAULA, INDIAN TERRITORY.

No. 98.  
Sho. Grayson  
3  
Creek Station

James Commissioner,  
Vinito, Id.

**End**

1896  
CR 62

✓ 1896  
CR 62

POOR ORIGINAL -  
BEST AVAILABLE COPY

Before the Dawes Commission, Vinita, Indian Territory.

Daniel Harmon, and :  
five children, :----- Plaintiff.  
VS. ( Answer.

The Creek Nation, -----Defendant.

1 The defendant says: That it appears from the plaintiffs petition that he is a resident of the Cherokee Nation and has inter-married with a Cherokee woman.

2 That he does not show in his said application and by disinterested native witnesses that he is of Muskogee descent not further removed than the fourth degree.

3 It also appears from the affidavits filed in support of his claim that he has continuously resided in the Cherokee Nation at Webbers Falls ever since the War, a period of over 21 years prior to the passage of the Alien Act, approved Oct. 26th, 1859 and has never heretofore asked for citizenship on account of blood.

4 Wherefore the defendant says under the laws of the Creek Nation the applicant is not entitled to citizenship therein or to any of the privileges thereof. *It is the defendant's belief that the above facts are true and correct.*  
S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bunny McIntosh*

*37* says he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 22 day of Oct. 1896.  
*Witness my hand and private seal having no official seal.*  
*Ans. M. McIntosh*  
*My Comm. Exp. 11. 1. 1900* *RL - P*



REGISTRY RECEIPT.

Post Office at *White Sulphur*  
Registered Letter { No. *57* Rec'd *9/5* 189*6*  
Parcel {  
of *John Harrison*  
addressed to *Hon Robt M Spink*  
*Buffalo N.Y.*  
*J. C. Mahan*

The Hon. Commission to the Five Civilized Tribes

This day, **SEPT 2**, 1896, I have  
made an application with my wife in  
attendance - I want one of the Agents  
of this office to determine my right  
to Creek Citizenship and the other to the  
Principal Chief of the Creek Nation -  
Cherokee Indian Country.

Daniel Harmon

Witness to and Subscribed before me  
the 2<sup>nd</sup> day, **Sept**, 1896.

J. H. McManis

Notary Public

Indian Territory  
Northern ~~Indian~~ District? On this 24 day  
of August 1890 - personally appeared before  
me a Notary Public - Susan Bumgarner duly  
sworn - declares under oath - that Daniel  
Harmon is a first cousin of hers - that  
she is a Creek Indian by blood and he is  
a Creek Indian by blood - and he is the son  
of Henrietta Harmon, a daughter of Rachel  
Walker whose Maiden Name was Rachel  
Bucant <sup>Creek Indian name</sup> Harmon and her family  
came from Alabama in 1847 - with David  
Harmon and W. C. Harmon. Said  
Affiant, Daniel C. Harmon came out with  
his Mother in 1847, and attended school  
at the Old Lebar Mission in Creek State  
in 1853.

Susan Bumgarner

Seen, read and subscribed before me this  
the 24 day of August 1890.

Samuel W. Bumgarner  
Notary Public -



Indian Deeds.

For the purpose of the Creek Indian.

The undersigned Creek Indian residents of the Muscogee Nation do solemnly swear that we are well acquainted with Daniel Harmon the applicant for citizenship in the Muscogee Nation. We know he is the identical person whom he represents himself to be. We know he is the son of Henrietta Harmon, a Creek Indian woman by blood, a brother of our father deceased Benjamin Harmon, a Creek Indian by blood and we swear he is a Creek Indian by blood and we have no interest in the matter.

Burr Harmon  
W. D. Harmon

Sworn to and subscribed before me  
this 25 day of August 1891.

D. W. Neunte  
Notary Public



Indian Territory  
Western Judicial District

I, Muskogee, was a citizen of the  
Muskogee Nation a native Creek &  
be blood daughter of Wance and Miller  
- My father the son of Big Warrior Creek  
Chief of 8th - My Mother the Cousin of Gen  
Alexander McMillan and William Featherford  
do solemnly swear that I know Daniel  
Harmon, a Creek Indian in blood  
to be the son of Henrietta Harmon deceased  
a Creek Indian in blood - that she came  
with her two sons Ben Harmon and Daniel  
Harmon and her Cousin Ward Bowman  
from the Old Creek Nation in Alabama to the Musko-  
gee Nation in 1861. The said Daniel  
Harmon was often at ~~my~~<sup>my</sup> home on Canadian  
River Muskogee Nation and ~~my~~<sup>my</sup> mother  
claimed Daniel Harmon as her son and  
a Creek Indian - and he has often visited  
~~my~~<sup>my</sup> home at ~~my~~<sup>my</sup> - and ~~do~~<sup>do</sup> swear  
Daniel Harmon is a Creek Indian -  
Muskogee Pass

Sworn to and subscribed before me this  
24<sup>th</sup> day of August 1896 -

Joshua Rof.  
Notary Public -

No. 156

Daniel Harrison

v.

Levy Watson

Filed Sept. 7, 1886

H. W. January  
Secretary

Respect

Bureau Hall,  
D. C.

**in the Indian Territory:**

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the [redacted] Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said [redacted] *Mustangee* Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 57 years. My Post Office address is The Glen Elder, Mo.

My family consists of the following named persons: Myself and children as follows:

|                                 |         |       |
|---------------------------------|---------|-------|
| 1. " Daniel Harmon              | aged 27 | years |
| 2. my daughter Henrietta Harmon | aged 24 | years |
| 3. " " " " " "                  | aged 18 | years |
| 4. " " " " " "                  | aged 14 | years |
| 5. " " " " " "                  | aged 12 | years |
| 6. " " " " " "                  | aged 10 | years |
| 7. " " " " " "                  | aged 8  | years |
| 8. " " " " " "                  | aged 6  | years |
| 9. " " " " " "                  | aged 4  | years |
| 10. " " " " " "                 | aged 2  | years |
| 11. " " " " " "                 | aged 1  | years |
| 12. " " " " " "                 | aged 0  | years |

WITNESS my hand this 22 day of August 1896  
Daniel Harmon

Indian Territory  
Northern Indian District.

Personally appeared before me, the undersigned authority, James C. Harmon,  
to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath  
says that he is the petitioner in the above petition, that he has read (or heard read) the said petition,  
and that the facts stated therein are true, as he verily believes. 1 6

Subscribed and sworn to before me at  
this 22 day of September  
A.D. 1890

Daniel Harmon  
Muskegee Indian District

Joshua Ross.  
Notary Public

REFER IN REPLY TO THE FOLLOWING.  
Cherokee  
2291

DEPARTMENT OF THE INTERIOR,  
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

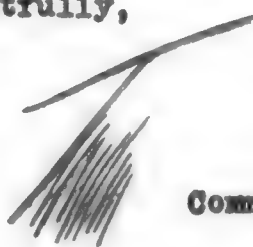
Muskogee, Indian Territory, January 14, 1907 .

Chief Clerk,  
Creek Enrollment Division.

Dear Sir:

You are requested to advise this office the status of the case of Daniel Harmon, Creek Enrollment number 63. As this matter is important you are requested to give it your immediate attention.

Respectfully,



Commissioner.

LMC

Cherokee 2291.  
DC 62.

Muskogee, Indian Territory, January 19, 1907.

Chief Clerk,  
Cherokee Enrollment Division,  
Muskogee, Indian Territory.

Dear Sir:

Replying to your letter of January 14, 1907, you are advised that application was made for the enrollment of Daniel Harmon, as a citizen of the Creek Nation, to the Commission to the Five Civilized Tribes in 1896 (Dawes Commission Number 62), and that said application was rejected and no appeal taken from the decision of said Commission.

Respectfully,

Commissioner.



End

1896  
CR 63

1896  
CR 63

**REGISTRY RECEIPT.**

Post Office at \_\_\_\_\_

|                             |           |              |            |
|-----------------------------|-----------|--------------|------------|
| Registered Letter<br>Parcel | No. _____ | Rec'd. _____ | DATE _____ |
|-----------------------------|-----------|--------------|------------|

of \_\_\_\_\_

addressed to \_\_\_\_\_

P. M.

SOUTH CANADIAN. I. T. August 26<sup>th</sup> 1896

I, Robt F. Turner do solemnly swear that on the  
21<sup>st</sup> day of August 1896 I saw a certain letter  
at the Post Office at South Canadian Ind. Co. addressed  
to the Hon. Chief of the Creek Nation at ~~Lawton~~ and Sec.  
Shel Registry (Receipt No. 28 hereto attached is a receipt  
for said package which contained two copies of the  
Application of L. A. Hendrix, Res. & Pittman Hendrix  
Maru Res. & Hendrix and M. D. Hendrix each of the  
Affidavits of Martin Crowder and James Terhough  
in support of same  
Signed Robt F. Turner

I subscribed and sworn to before me this 26<sup>th</sup> day  
of August 1896  
L. J. J. Linton  
Notary Public

cc) I  
Robt F. Turner can be reached  
by mail at South Canadian  
Ind. Co.

Applicant can be found by mail at  
South Canadian

Ind. Sec.

## Application for Citizenship

To the Honorable Henry L. Dawes  
Frank C. Armstrong Archibald S.  
McKinnon Thomas D. Cabaniss  
and Alexander D. Montgomery,

United States Commissioners Authorized  
by act of Congress of June 4<sup>th</sup> 1896  
to hear and determine claims for  
Citizenship in the Creek Nation.

Gentlemen the undersigned  
your petitioner Rosey C. Williams for  
and in behalf of ~~his~~ heirs this  
day make this their application to you  
for the purpose of being admitted to  
Citizenship of the Creek Nation and be  
enrolled with those entitled to share in the  
distribution of funds and allotments of  
lands in the Creek Nation by virtue  
of their Catawba Blood and I herewith  
submit the fellow affidavits in  
support of said claims and await  
the time when this application shall  
be heard and tried  
respectfully submitted

Enrollment of family with  
relationship attached as follows

| Names             | age | Relationship |
|-------------------|-----|--------------|
| Rosey C. Williams | 25  | Mother       |
| Rabin. Williams   | 4   | son          |



| Name           | age      | Relationship |
|----------------|----------|--------------|
| Ethel Williams | 3        | Daughter     |
| Bulah Williams | 4 months | Daughter     |

Signed Katey C. Williams

I subscribed and sworn to before  
me this 18<sup>th</sup> day of Aug 1896

G. W. Norton  
Notary Public

Applicant can be found by mail at  
North Canadian  
Ind. Ex.

## Application for Citizenship

To the Honorable Henry D. Davies, Frank C.  
Armstrong, Archibald & Mc Kennon  
Thomas D. Calanice and Alexander B.  
Montgomery, United States Commissioners  
Authorized by act of Congress of June 4<sup>th</sup>  
1896 to hear and determine claims for  
Citizenship in the Creek Nation.

Gentlemen: the undersigned your  
Petitioner M. D. Hendrix for and on  
behalf of his heirs this day makes this  
their application to you for the purpose of  
being admitted to Citizenship of the  
~~Catawba~~ Creek Nation and be enrolled  
with those entitled to share in the  
distribution of funds and allotment of  
lands in the Creek Nation by virtue of  
their ~~Catawba~~ Blood and I hereby  
submit the following Affidavits in  
support of said claims and await the  
time when this application shall  
be heard and tried.

Respectfully submitted

Enrollment of family with relationship  
as follows

| Name             | age | Relationship |
|------------------|-----|--------------|
| M. D. Hendrix    | 26  | Father       |
| James D. Hendrix | 3   | Son          |

| Name               | age | Relationship |
|--------------------|-----|--------------|
| Stellie M. Hendrix | 1   | Daughter     |

Witness Mark Sigmond M. D. <sup>hus</sup> <sub>mark</sub> Hendrix  
Robert T. Jensen

Subscribed and sworn to before  
me this 18<sup>th</sup> day of Aug 1896

G. W. Norton  
Notary Public

Mr Martin Crowder  
can be reached by mail.  
Hopt And Son

That I, Martin Crowder,  
a citizen of the Choctaw Nation  
By blood, make Affidavit  
to the following,  
That Sarah Fisher was the  
wife of L. D. Hendrix, and  
that the said Sarah Fisher is  
a Catawba Indian by blood,  
and that the said Sarah Fisher  
had three children by her  
husband, L. D. Hendrix,  
Births and names as follows  
Cliza Hendrix, was born Jan.  
1862,  
M. D. Hendrix, was born  
November the 6<sup>th</sup> 1868,  
Posey, Hendrix, was born  
Feb. 17 - 1871.  
That there are the children  
of Sarah Fisher (maiden name)  
wife of L. D. Hendrix.  
In testimony whereof I set my  
hand and seal.  
Signed, Martin Crowder  
Subscribed and sworn to before me  
this the 11<sup>th</sup> day of April, 1895-  
John Bates,  
Notary Public

No. 252,  
L. H. Hendrix vs

---

Creek Nation

Filed Aug. 28-1896  
J. S. McCann,  
Clerk

A. H. Newton Atty  
South Canadian  
Dist.



James Burnbeough  
can be reached by mail  
at Detroit, Mich.  
Ind. Ill.

I, J. C. Burnbeough of Iowa Territory  
do hereby certify that he  
is a citizen of the United States that  
he is 48 years old and reside in  
Columbia T. Iowa Mrs. Elizabeth  
Hendrix the Wife of L. D. Hendrix  
whose maiden name was Sarah  
Fisher and further that the within  
named children were born to Mrs  
Sarah Hendrix and L. D. Hendrix  
her husband names as follows  
Elizabeth Hendrix born June 15<sup>th</sup> 1868  
Rebecca Hendrix born Feb 17<sup>th</sup> 1871  
M. D. Hendrix born Nov 6<sup>th</sup> 1868  
these are the children born to the said  
L. D. Hendrix and Sarah Hendrix  
and further that Sarah Fisher is  
of the Catawba tribe of Indians by  
Blood in witness whereof I hereunto  
set my hand, this 18<sup>th</sup> day of April  
1895 signed

James Burnbeough

Subscribed and sworn to before me  
this 18<sup>th</sup> day of April 1895

L. M. Croton  
Notary Public

my Commission expires Oct 15<sup>th</sup> 1896

## Application for Citizenship

Applicant can be read by Mail at  
2nd St. Canadian

To the Honorable Henry L. Dawes  
Frank C. Armstrong Archibald A. McKeen  
Thomas A. Calhoun and Alexander B.  
Montgomery ~~United~~ United States  
Commissioners Authorized by act of  
Congress of June 4th 1896 to hear and  
determine claims for citizenship in the  
Creek Nation.

Gentlemen the undersigned of our  
Petitioner L. H. Hendrix for and on  
behalf of his heirs this day make this  
their application to you for the purpose of  
being admitted to citizenship of the Creek  
Nation and be enrolled with those entitled  
to share in the distribution of funds and  
allotment of lands in the Creek Nation by  
virtue of their Catawba Blood and I herewith  
submit the following affidavits in support of  
said claims and await the time when  
the application shall be heard and tried  
respectfully submitted

Enrollment of family with relationship as follows

| Name             | age      | Relationship |
|------------------|----------|--------------|
| L. H. Hendrix    | 36 yrs   | Father       |
| Adie V. Hendrix  | 17 ~     | Mother       |
| Annie E. Hendrix | 9 months | Daughter     |

Signed this 24<sup>th</sup> day of Aug 1896  
R. H. Hendrix  
R. H. Hendrix  
R. H. Hendrix

## Application for Citizenship

Applicant can be reached by mail at  
2701 1/2 1st Avenue  
Grand 22

To the Honorable Henry L. Dawes  
Frank C. Armstrong Archibald L. McKeen  
Thomas C. Calhoun and Alexander B.  
Montgomery ~~United~~ United States  
Commissioners Authorized by act of  
Congress of June 4<sup>th</sup> 1896 to hear and  
determine claims for citizenship in the  
Creek Nation.

Gentlemen the undersigned of our  
Petitioner L. H. Hendrix for and on  
behalf of his heirs this day make this  
their application to you for the purpose of  
being admitted to citizenship of the Creek  
Nation and be enrolled with those entitled  
to share in the distribution of funds and  
allotment of lands in the Creek Nation by  
virtue of their Catawba blood and I herewith  
submit the following affidavits in support of  
said claims and await the time when  
this application shall be heard and tried  
respectfully submitted

Enrollment of family with relationship as follows

| Name             | age      | Relationship |
|------------------|----------|--------------|
| L. H. Hendrix    | 36 yrs   | Father       |
| Adm. V. Hendrix  | 17 "     | Mother       |
| Annie E. Hendrix | 9 months | Daughter     |

Witness my hand Signed this 24<sup>th</sup> day of Aug 1896  
R. H. F. Turner L. H. Hendrix  
mak

I Subscribed and sworn to before me this 24<sup>th</sup>  
day of Aug 1896

J. J. Newton  
Notary Public



**End**



1896  
CR 64

1896  
CR 64

# 733

FILED SEP 9 1896  
A. S. McKENNA  
COM 'R'

SEP 9 1896  
McKENNON  
R'

Received this day of Marinda Humphrey for  
Nelson & Libes copy of application and evidence in  
case # 733 of Marinda Humphrey et al for citizen  
ship in the Creek Nation.

Oliver McIntosh  
Attorney, Chief Muskege Nation

By  
J. M. McIlhenny  
Notary

Before the Honorable Dawes Commission.

Application of Marinda Humphrey and  
descendants for citizenship in the Creek  
Nation.

Comes now Marinda Humphrey, in behalf  
of herself and as natural guardian and next  
friend of her minor children, Ruben, Thomas,  
Willis, Eddie, Leanna & Shaddy Humphrey,  
and declares their right to citizenship in  
the Creek Nation by virtue of the following  
facts to-wit: That said Marinda Humphrey  
is of African descent, and a daughter of Flora  
Franklin, who is a daughter of Monday Durant,  
who was of African descent, and an enrolled  
and recognized citizen of the Creek Nation  
under the treaty of 1866 between the United  
States and said Creek Nation.

That she is the mother of the following minor  
children, born in lawful wedlock to-wit: Ruben,  
Thomas, Willis, Eddie, Leanna & Shaddy  
Humphrey, all of whom are now living and  
residing in the Creek Nation.

That she has resided in the Creek Nation  
since the Spring of 1880, and her children  
have resided with her during said time.

That during her residence in said Creek Nation  
she and her children, have never been asked to  
pay a permit, but she has been permitted to

reside and build a home in said Nation under  
act of the Creek Council of 1881 or 82. and her  
right to do so has never been denied or objected  
to.

That while her right and the right of her minor  
children, to reside and build a home in said  
Nation has never been denied or objected to, yet  
she nor they <sup>being placed on the rolls of said Nation, nor</sup> have never been permitted to participate  
in the annuities and funds distributed among  
the members of said Nation.

Wherefore your applicant, Marinda Humphrey,  
prays that she and her minor children, Ruben,  
Thomas, Willis, Eddie, Leanna & Shaddy  
Humphrey, may be admitted and enrolled  
as citizens of said Creek Nation

Nelsons Lieber for Applicants.

Marinda Humphrey says that the statements  
of the foregoing application are true.

Witnesses  
to  
mark.

{ Sarah Farish Marinda <sup>her</sup> Humphrey  
Jennie McKittrick. mark

Subscribed and sworn to before me this 27<sup>th</sup>  
day of August 1886.

John E. Lieber  
Notary Public.



#No 733

Case of  
Marinda Humphrey and  
minor children, for cit-  
izenship in the  
Creek Nation

---

Filed Sept 3-1894

A. S. McKinnon  
Clerk

Respectfully

Filed by

Nelson Lieber

Atty at Law.

Muscogee.

Ind. Ter.

Indian Territory, Northern District S. S.

In the matter of the application of Marinda  
Humphrey and descendants for citizenship  
in the Creek Nation.

On this 27<sup>th</sup> day of August 1896 personally  
appeared before me a Notary Public within  
and for the above named District Marinda Humphrey  
aged 44 years, who after being duly sworn declares  
in relation to aforesaid claim as follows:-

That she is a daughter of Flora Franklin, and  
is of African descent, and that she is the mother  
of the following minor children born in lawful  
wedlock to wit: Ruben, Thomas, Willie, Eddie,  
Leanna + Shaddy Humphrey, all of whom are  
now living and residing in the Creek Nation.

That she has resided in the Creek Nation  
since the Spring of 1880, and her children have  
resided with her since their births.

That she has been permitted to improve a  
place in said Nation under act of the Creek  
Council of 1881 or 82, and the value of said im-  
provement is about \$1500.00

Witnesses  
to  
Mark

{ Sarah Sarah Marinda <sup>her</sup> Humphrey  
Jessie McIntosh mark

Subscribed and sworn to before me this 27<sup>th</sup>  
day of August 1896. John L. Fisher  
Notary Public.

Indian Territory Northern District S.D.

In the matter of the application of Marinda Humphrey and minor children for citizenship in the Creek Nation.

On this 31<sup>st</sup> day of August 1896 personally appeared before me a Notary Public within and for the above named District Flora Franklin

aged about 65 years whose P.O. address is Lee Ind. Ter. who after being duly sworn declares in relation to aforesaid claim as follows:

That she is of African descent and was brought to the Creek Nation from Alabama as a slave, that she was taken from the Creek Nation by her master James Mc Daniel, sometime before the late war, and that she returned to the Creek Nation in the year 1880 and has resided therein ever since.

That affiant is the daughter of Mondak Durant who was of African descent and an enrolled and recognized citizen of the Creek Nation under the Treaty of 1866 between the United States and said Nation. That affiant is the mother of Marinda Humphrey, above mentioned, who was born in lawful wedlock, and who has resided in the Creek Nation since the year 1880, and is now residing on her own place in said Creek Nation, the said Marinda Humphrey and her descendants, being permitted to reside in said Creek Nation and own a home therein under act of the Creek Council passed in 1881, as 82,

That said Monday Durant was a member of the  
Creek Council, and also Town King of one of  
the colored towns. That affiant's former husband  
Willis Laren, and her son and the husband of  
said Maimda Humphrey, have been required to  
work the roads by the Creek Nation, as citizens  
thereof.

That affiant is the mother of four other children  
as follows: Ketch Laren, Jane Roberts, Sarah Parish,  
and Parrellee Mullen, all of whom are now residing  
in the Creek Nation.

Flora <sup>her</sup> Franklin  
mark.

A. E. Durant

Ketch Laren

Subscribed and sworn to before me this 31<sup>st</sup>  
day of August 1886

John E. Liles  
Notary Public.

There is a very strong possibility of a lack of unity in the movement. The movement is not a single entity but a collection of many small groups. The movement is not a single entity but a collection of many small groups.

On the other hand, it is true that the movement is not a single entity but a collection of many small groups. The movement is not a single entity but a collection of many small groups.

The United States is not a single entity but a collection of many small groups. The United States is not a single entity but a collection of many small groups.

There is a very strong possibility of a lack of unity in the movement. The movement is not a single entity but a collection of many small groups.

There is a very strong possibility of a lack of unity in the movement. The movement is not a single entity but a collection of many small groups.

POOR ORIGINAL  
BEST AVAILABLE COPY



Before the Dawes Commission, Vinita Indian Territory.

Marinda Humphrey :  
and descendants :-----Plaintiff.

VS. ( Petition for Citizenship.

The Creek Nation,----- Defendant.

The defendant for answer says: 1. That the plaintiffs are persons of "African descent", and does not show by the statements and allegations in her petition facts sufficient to entitle them to enrollment under the Second Section of the Treaty of 1866, on the contrary shows that they are not within the provisions of said Treaty in regard to persons of "African descent".

2. The defendant denies that the plaintiff or any of them were ever at any time permitted by "Act of Creek Council" to reside and build homes in the Creek Nation or enjoy the rights ~~as citizens~~ of citizens as appears upon the face of their said petition.

3. Defendant denies that the plaintiffs are entitled to citizenship in this Nation under Second Article of Treaty of 1866 on account of being a descendant of "Monday Durant" nor that the plaintiffs came to this Nation as appears on face of their petition until 1880.

4. The defendant says that the plaintiffs are not entitled to citizenship in this Nation.

S. R. Callahan,  
Rumy McIntosh,  
Wm T. DuVal,  
Attorneys for defendant.

*Marinda Humphrey*  
says that he believes the matters and things set forth in the foregoing answer to be true.

*Bessie M. McIntosh*

Subscribed and sworn to before me this *24th* day of *Oct* - 1896.

*Wm T. DuVal*

*Notary Public*

North Canadian I.D.  
Aug 24<sup>th</sup> 1896  
To the Hon Archibald J. McKeen  
Vernita I.D.

Dear sir

I again return Papers  
to you for filing you will find  
Application of M. D. Stendix. L. St.  
Stendix and Rosey Stendix wife of  
J. W. Williams also Affidavits of  
Martin Crowder and Jennie Terbraugh  
said Affidavits are to be used in all  
these cases as all are Brothers and  
Sister you will see that it would  
be impossible for me to make separate  
Affidavits in all these cases as the  
Parties are not now in this country  
and they have been taken quite  
a while back they were taken to  
present to the Club Council but  
the parties could not raise the money  
to pay Attorney's fees in presenting  
some to the Council you will also  
see that only one of these Affidavits  
were taken by me and that some time  
ago and I think now that I have  
complied strictly with all the requirements  
in the matter if it is necessary to make

Separate affidavit in all the cases  
if ever I will make an effort to  
get same but I am afraid it will  
be too late, in justice to the applicants I  
would be glad to have same filed  
without any further cost to the  
applicants in the way of taking  
affidavits trusting this will meet  
all demands I am yours very  
respec

J. M. Norton  
Notary Public

**End**

1896  
CR 65

1896  
CR 65



Eufaula St. Aug. 18<sup>th</sup> 1896.

To whom it may concern:-

Know ye That Lemiguel Kinnelle a  
Creek Indian of Little River Tulsa  
Town M.N. has this day personally  
appeared before me H. O. Simpson  
a Notary Public, in support of  
Amelia Kutton's claim to citizen-  
ship in the Creek nation and de-  
poses and says, I know Amelia  
Kutton, she is the wife of Joe Kutton  
and lives near Eufaula St. where  
she has lived for a long time.  
I have known her ever since she  
was a child. I lived with the Chish-  
lorn family for a number of years  
<sup>just</sup> previous to the war and was living  
with them when the war broke out.  
I was living with them when this  
woman Amelia Kutton was born  
and I have known her ever since.  
She belonged to Jennie Chishlorn, a  
member of the Chishlorn family.  
Jennie Chishlorn's mother was a  
first Cousin of mine and was a  
Creek Indian woman, and all of her  
children were recognized as Creek  
Citizens and when peace was declared  
their slaves were all enrolled as

as citizens of the Creek Nation, in accordance with the provisions of the Treaty of (1866) Amelia Kutton then known as Amelia Brown was then enrolled as a citizen, and she has always been recognized as such until last summer when her rights were challenged and her name and the names of her children and grand children were stricken from the rolls for some cause unknown to me.

I know that Amelia Kutton was born and raised in the Creek Nation and was the slave of Jennie Chicklom who was a Creek citizen. I know that Amelia Kutton belonged to Jennie Chicklom until peace was declared and lived with her for a long time after peace was declared.

I know that Amelia Kutton is entitled to citizenship in the Creek Nation under the Treaty of (1866) as she was here in the Creek Nation, living on the Verdigris river in the Fall of (1866) and has lived here ever since. Lemmye Kernells <sup>has</sup> ~~more~~

Respectfully,  
John Tilly

Sworn & Subscribed before me  
this 18<sup>th</sup> August 1896  
R. L. Simmons  
Notary Public

Pink Hawkins testimony in sup-  
port of Mrs. Amelia Hutton's claim to  
citizenship in the Creek Nation.

Okmulgee Ok. July 28<sup>th</sup> 1896.  
To whom these presents come greeting:-  
Know ye, That Pink Hawkins, a  
Creek Indian of Hillabee Town Creek  
Nation has this day appeared before  
me Fred. A. Parkinson a Notary Public  
in person and in support of Mrs.  
Amelia Hutton's claim to citizen-  
ship in the Creek Nation; denies  
and says; I know Mrs. Amelia  
Hutton, she is the wife of Joe  
Hutton and lives near Eufaula  
Ind. Ter. where she has lived with  
her husband (Joe Hutton) for a  
long time. She was born and  
raised in the Creek Nation and was  
always recognized as a citizen of  
the Creek Nation. She always drew  
money with the Creeks and was  
accorded every other right of a  
Native born Citizen.

I knew her mother and all of  
her family, I also knew <sup>her</sup> ~~her~~ owners  
Mrs. Amelia Hutton's mother was  
the slave of Sallie McGlease a  
Cousin of mine, and my cousin  
Sallie McGlease sold her (Amelia  
Hutton's mother) to Old Jas Chas  
blom an Intermarried <sup>former</sup> Citizen



after they were sold to the Chris-  
blom family I never saw them  
very much more, but I know  
that they are all recognized as  
citizens of the Creek Nation excepting  
Amelia Hutton and two sisters,  
whose rights were challenged by  
some one last summer.

Witness O. A. Morton  
Pink Hawkins <sup>his</sup> Mark  
N. P. Morton

Subscribed and sworn to before  
me this 28th day of June  
1896

Frederick A. Parkinson  
Notary Public



2592

Case No. 11

In the matter of  
Amelia Hutton  
Claim to recover  
up on the  
Crest Notice  
of Judgment.

and the Capital  
vits of Paul Hutton  
kins and family  
Kernell, as sup-  
port of said claim.  
FILED 5-1-12

A. S. MARRIOTT

COM'R

Record of Court

Phinney & Co.

St. Louis, Mo. July 7th 46.  
Hon. Secy. of the Commission  
Indian Affairs.

Sir, Having been re-  
tained by Mrs. Cinelia Hutton  
to represent to your Honorable  
Commission, her claim to  
Citizenship as the Creek Native  
of Indiana. I respectfully beg  
to offer an apology for having  
submitted facts bearing upon  
a claim to citizenship, that were  
not sworn to. I could have  
presented them on oath, but  
thought that they were of too  
slender a nature, conse-  
quently I submitted them in  
my argument to be taken for  
what they were worth, presented  
in that manner. I have failed  
to submit Pass Bonners Affidavit  
in support of this claim, for the  
simple reason that he lives  
so far away, and there are other  
witnesses as good as he, who  
have expressed a willingness to  
testify for her. I simply desire  
to say, that we claim that the

Citizenship Court sitting at this place is not competent to pass on claims to citizenship in the Creek Nation, for the simple reason, that every member of that Commission are citizens of the Creek Nation, claiming and holding an interest in the Creek Funds and Lands; They are therefore parties to every suit brought by a Citizenship claimant, and it is I believe a recognized principle in Courts, that a party to a suit is not a competent judge to pass upon the justice of such suit. We desire to have our claims passed upon by a disinterested judge or Commission. Therefore we come before you, soliciting your kind and gentle treatment in the adjudication of our claim.

Respectfully Submitted  
O. A. Morton Lawyer  
Okmulgee I.T.

Enf. aulda I.T. Aug. 18<sup>th</sup> 1866.  
To the Hon. Dawes Commission  
Vinita I.T.

Gentlemen, Acting for myself and  
as agent for my children and  
grand children, I have the honor  
of placing before your honorable  
Commission our application, ask-  
ing for recognition and enroll-  
ment as Citizens of the Creek Na-  
tion. We base our claim to citi-  
zenship in the Creek Nation, upon  
Art. II of the Treaty, made by and  
between the Creek Tribe of Indians  
and the United States of America, <sup>in the year of 1866</sup> as  
which said Treaty provides as follows:-  
Inasmuch as there are among  
the Creeks many persons of Afri-  
can descent, who have no interest  
in the soil, it is stipulated that  
hereafter, those persons lawfully  
residing in said Creek Country  
under their laws and usages, or  
who have been thus residing in  
said Country and may return  
within one year from the ratifi-  
cation of this Treaty, +++ shall  
have and enjoy all the rights and  
privileges of native citizens, in-



cluding an equal interest in the soil and National funds; and the laws of said Nation shall be equally binding upon and give equal protection to all such persons. + + +.

My name is Amelia Hutton, I am the wife of Joe Hutton and live near Eufaula St. which is my P.O. In slavery time I belonged <sup>to</sup> Jennie Chisholm, and was his slave until peace was declared, and lived with her for some time after peace was declared. I have been in the Creek Nation all my life, excepting a short time during the war.

After the war I came back in the Creek <sup>Nation</sup> in the Fall of 1866 and have lived here ever since.

I was always recognized and treated as a Creek Citizen until the summer of (1893) when my rights were questioned and my name and the names of my children and grand children were stricken from the rolls.

My husband Joe Hutton the father of all of my children except two is a recognized Creek Citizen.



is a recognized Creek Citizen.

My Mistress Jennie Chisholm was a Creek Citizen as her mother was a Creek Indian woman.

My family consists of the following named parties: - Myself, - Amelia Hutton, Ben Brown, Manuel Brown, John Hutton, Creasy Hutton, Angelina Hutton, Louis Hutton, Dave Hutton, and Della Hutton grand children, Frank Brown, Henry Brown, Lilly Brown, and Carrie Brown.

We were formerly members of The Canadian Colored Town of the mm. and respectfully, petition your Honorable Commission to re-enroll our names on the said Canadian Colored Town rolls.

Amelia Hutton <sup>her</sup>

Attest ----- Thomas Moore <sup>man</sup>

Sworn & Subscribed before me this 18th August 1896

J. Simpson  
Notary Public

Before the Daves Commission, Vinita, Indian Territory.

Amelia Matton,-----Plaintiff.

VS. ( Answer.

The Creek Nation,-----Defendant.

The defendant for answer to the plaintiffs application says:

That it is not true that Jinnie Chisholm was a Creek Indian and that the plaintiff was born in the Creek Nation and lived here until the Civil War; on the contrary this defendant says that the said plaintiff was the property of one Jesse Chisholm a White man and that the said Linnie Chisholm to whom the plaintiff claims to have belonged was a Cherokee and lived in the Cherokee Nation.

Defendant denies that the plaintiff is entitled to enrollment as a citizen of this Nation under the provisions of the 2nd. Art. of the Treaty of 1866, and that her name was lawfully stricken from the rolls of citizens by the legally constituted authorities of this Nation.

Wherefore the defendant says that the petitioner is not entitled to citizenship in this Nation or to any of the privileges thereof.

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant

*Bunny McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 10th day of Oct, 1896.

*My Comm. exp. Oct-10th 1900*

*John H. Rogers, Notary*

... ..

1. The first part of the document is a list of names and titles, including "The Hon. Mr. Justice" and "The Hon. Mr. Justice".

[illegible]

五、

1866 (Continued) . . . 1866

POOR ORIGINAL -  
BEST AVAILABLE COPY

CREEK

65

Act of  
June 10 1896

Dept #4  
11-15-41  
JTD

65

**End**



1896  
CR 66

1896  
CR 66

Harmon  
The following is a list of the names of the persons who have been appointed to the various committees of the Board of Directors of the City of New York, for the year 1911.

Attest my hand and seal this 1st day of January, 1911.

Mayor of the City of New York

POOR ORIGINAL  
BEST AVAILABLE COPY

BEFORE THE DAWES COMMISSION, VINITA, INDIAN TERRITORY.

McGilberry Durant Harmon :  
wife and six children :-----Plaintiffs.

VS.

The Creek Nation,----- Defendant.

The defendant for answer says: That it appears upon the face of petition and affidavits in support thereof, that the applicant is a citizen of Waco in the State of Texas and 66 years of age and has never resided within the jurisdictional limits of this Nation and has never heretofore applied for citizenship therein. That he does not state in his said application the degree of Indian blood he has nor do the affidavits show.

The defendant says that under the laws of this Nation the said applicant is an alien and not entitled to citizenship in this Nation or to any of the privileges thereof.

2. That it appears from the facts stated in said application that the said applicant voluntarily severed his connection with this Nation - remained with the white people in the States, is now a resident and citizen of the State of Texas and he is a white man and alien and is not entitled to citizenship.

S. R. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bernie M. McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bernie M. McIntosh*

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 1896

*Noted by my hand and private seal not giving an official seal to*  
*Miss Callahan ex p. Feb 10th 1900* *Notary Public*



To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes  
in the Indian Territory:

Your petitioner, *McEllivray Durant Harmon*, undersigned, respectfully states that he is a *Creek* Indian by blood, and asks to be enrolled as a member of the *Muskogee* Nation of Indians in the Indian Territory. That he derives his said Indian blood from *Henrietta Harmon*, his Mother, who was a *Creek* Indian by blood. *Who was a native Creek Indian of Old Creek Nation in Alabama - of the town of Hickory Ground. She came with the detachment of Ward Cohehman & Co. to the Muskogee Nation in 1847. With her came her sons Ben and Ogniel Harmon, and daughter Rachel and William, and they were claimed by her kin in Muskogee and others -*

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the *Muskogee* Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said *Muskogee* Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is *66* years. My Post Office address is *Waco Texas.*

My family consists of the following named persons: My self, *Wife*, and children, as follows:

|  |                       |
|--|-----------------------|
| 1. <i>Catherine Harmon</i>                 | aged <i>62</i> years. |
| 2. <i>Virginia Isabella Harmon Brown</i>   | aged <i>42</i> years. |
| 3. <i>William Durant Harmon</i>            | aged <i>40</i> years. |
| 4. <i>Henrietta Harmon</i>                 | aged <i>34</i> years. |
| 5. <i>Charles George Harmon</i>            | aged <i>30</i> years. |
| 6. <i>Laura Catherine Harmon Johnson</i>   | aged <i>27</i> years. |
| 7. <i>Myself, McEllivray Durant Harmon</i> | aged <i>66</i> years. |
|  | aged        years.    |
|  | aged        years.    |
|  | aged        years.    |

WITNESS my hand this *22* day of *August* 1896.

*McEllivray Durant Harmon*

Personally appeared before me, the undersigned authority *McEllivray Durant Harmon* to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Subscribed and sworn to before me at *Muskogee Indian Territory* this *22* day of *August* A.D. 1896.

*Joshua Ross*  
*Totary Public*

*Indian Territory*  
*Northern Judicial District -*



Indian Territory  
To the Indian District, On the 22 day  
of March 1880, personally appeared  
a Notary Public in and for said District,  
Daniel Harmon to me well known to be the  
identical person whom he represents himself  
to be, who being duly sworn according to oar-  
ders made oath - That his age is 37 years  
and that his address is between the Indian  
District, Cherokee Indian Territory.  
He is a Creek Indian by blood, the son of Henrietta  
Harmon deceased who was a Creek Indian by  
blood the daughter of Rachel Durant who  
was a full blooded white woman - father,  
that he came into the Creek Nation in 1845  
and has resided in the Cherokee Nation since  
in 1850 & 1860 - That McMillon Durant Harmon  
of Waco Texas has an application to be enrolled  
as a citizen of the Cherokee Nation is his identical  
brother - his full brother, the son of the same mother  
and the same father - That McMillon Durant  
Harmon is the identical son of Henrietta Harmon  
the Creek Indian woman - and without a doubt  
his brother - and asks that his Brother  
McMillon Durant Harmon be enrolled with his  
name as Citizens of the Cherokee Nation by reason  
of his Indian blood.

(Daniel Harmon)

Sworn to and Subscribed before me this  
the 22 day of August 1896

Joshua R. S.  
Notary Public

Indian Territory.

Northern Indian District - This 24 day  
of August AD 1866, personally appeared  
before me a Notary Public in and for  
the State of Texas and Territory - Susan Kungarner  
a Creek Indian by blood - and on oath - that McMillen Kungarner  
a Creek Indian by blood - first cousin  
And he is a son of Annetta Harmon  
daughter of Rachel Staller, whose  
maiden name was Rachel Harant  
a Creek Indian woman - Susan  
Harmon and her family came from  
Alabama in 1847 - with Paul Jackson  
and McHarston - and said Rachel Staller  
Harmon did not come to the Creek  
Nation at the time and the name of the  
family name -

Susan Kungarner

seen to and subscribed before  
me this 24 day of August 1866 -  
Samuel M. Kungarner,  
Notary Public -

Indian  
On the Indian side it is On the 15<sup>th</sup> day  
of August 1890 - One George Washington  
and by me sworn Said from the  
words of his Mother Milly George a Creek Indian  
he said - He knows that McCullough Durant  
is a man to be a Creek Indian by blood and  
from that blood is entitled to live in the land  
of the Muscogee Nation - his Mother is Daniel  
Damon a Creek Indian by blood - his Father was  
Benjamin a Creek Indian by blood - his Mother  
was Jennetta Damon a Creek Indian woman  
by blood - who was Cousin to Hard Lachman  
Cottrell a Creek Indian - his Mother  
and Ben. Alexander McCullough - and to Milly  
McCullough - her Mother -

Sworn to and subscribed before me this  
the 20<sup>th</sup> day of August 1890  
John A. Roan  
Notary Public

66  
No 908

M D Hornum  
n

Creek Nation

Filed Sept 4 1896

A. S. McKinnon  
Clerk



Indian, Luntan,  
for the judicial District

We the undersigned Creek Indians and  
Citizens of the Muskogee Nation, do hereby  
solemnly swear that we are well  
acquainted with Mr. William Durant Harmon, the applicant  
for citizenship in the said Muskogee Nation, and  
know him to be the identical person whom  
he represents himself to be. We also know  
him to be the son of Henrietta Harmon deceased  
a Creek Indian by blood, the daughter of  
Harmon, our Uncle, and also the mother of  
our father deceased whose name was Benjamin  
Harmon, and from whom we derive the Creek  
Indian blood by which we were enrolled on  
the Census rolls of the Muskogee Nation from which  
Source we have drawn Per Capita Money. We  
further swear that said Mr. William Durant  
Harmon is a Creek Indian man by blood.  
We have no interest in the matter.

Benjamin Harmon  
W. D. Harmon

Sworn to and subscribed before me this  
25<sup>th</sup> day of August 1890.

J. A. Mount  
Notary Public

**End**

1896  
CR 67

1896  
CR 67

[illegible]

APPLICATIONS FOR CITIZENSHIP IN THE CHINESE NATION:

APPLICATION FOR CITIZENSHIP IN THE CREEK NATION.

To the Honorable Council of the Creek Nation:

I, Joseph T. Hodgson of Mount Pleasant, Monroe County, Alabama, do respectfully apply for citizenship. And if admitted do agree to abide by all the laws of the Creek Nation.

I am the husband of Edna the daughter of Joseph N. Stiggins, who is the son of George Stiggins who was a half breed Creek Indian, which makes Edna a one-eighth Creek Indian;

|                    |     |          |            |
|--------------------|-----|----------|------------|
| Joseph T. Hodgson, | age | 38 years | Husband    |
| Edna Hodgson       | ..  | 23 ..    | wife       |
| Philip             | ..  | 7 ..     | oldest son |
| May                | ..  | 5 ..     | daughter   |
| William            | ..  | 3 ..     | son.       |

Joseph N. Stiggins applied for citizenship in November 1892, through Joseph P. Byers, attorney at law of Fort Smith, Ark. The citizenship was either denied or not acted on. Edna appeared as his daughter in that application.

Subscribed and sworn to on this the)  
5th day of September, 1896,  
at Mobile, Alabama.

*Joseph T. Hodgson*

UNITED STATE OF AMERICA

SOUTHERN DISTRICT OF ALABAMA)

Before me,

*Wm M. Kinsley*  
*U.S. Circuit Court Commissioner*

personally appeared *L. B. Stute* & *J. H. Harrington*  
who being first duly sworn upon oath, say that we are well acquainted with the applicant and know from our own personal knowledge that the facts set forth in his said application are true as therein stated.

Subscribed and sworn to before me this)  
5th day of September, 1896, at my office  
in Mobile, Alabama.)

*L. B. Stute*  
*Wm M. Kinsley*  
*U.S. Commissioner*  
*John H. Harrington*  
*Notary Public Ala.*



**End**

1896  
CR 68

1896  
CR 68

10-11-98

1958-1959

BEFORE THE DAVIS COMMISSION, VINITA, INDIAN TERRITORY.

Nancy Hobbs, for :  
herself and two children, George Edwards:  
and Pink Dudley. : -----Plaintiff.

VS. Answer.

The Creek Nation, ----- Defendant.

The defendant for answer says: That the statements in the said application show that the applicant, Nancy Hobbs is a person of African descent, born in Alabama and never was in the Creek Nation and her residence is South McAlester, Choctaw Nation, and is not entitled to citizenship under 2nd. Article of the Treaty of 1866.

2. That the statements in her ~~application~~ application, if true, do not show her to be entitled to citizenship in this Nation as an Indian by blood.

3. The application of said applicant is not sufficient by any proof either by record, depositions or affidavits.

Wherefore the defendant says the same should be dismissed.

S. R. Callahan,

Bunny McIntosh,

Attorneys for defendant.

\_\_\_\_\_ says that he believes the statements and things set forth in the foregoing answer to be true.

Bernie M. McIntosh

Sworn to and subscribed before me this 22 day of October 1896.

REGISTRY RECEIPT.

Post Office at South McAlester, Ind. Ter.  
Registered Letter { No. 239. Rec'd. Sept. 7 1896  
Parcel {  
of J. P. Mullin  
addressed to Chief of Creek Nation  
Okmulgee - I. T.  
M. A. Polite P. M.



AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF NANCY HOBBS  
FOR ADMISSION TO CITIZENSHIP IN THE CREEK NATION.  
STATE OF  
COUNTY OF

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Nancy Hobbs who, after being by me duly sworn, states: That is years of age, and a resident of the State of Choctaw Nation and County of Tobucksey and postoffice address is South Mclester, I. T. that is personally acquainted with who is an applicant for Citizenship in the Creek Nation. Affiant further states.

That she is the daughter of the Harriett Orr, and the said Harriett Orr is the daughter of the late Kate Orr, who was a Creek Indian woman, and a citizen of the old Creek Nation and a member of the Old Creek Indian tribe and who lived and died in the state of Alabama, and who was born about the year of 17... and died about 1868. Affiant further says that her mother the said Harriett Orr, intermarried with Charles Orr, a negro, and that the said Harriett Orr was a an admixture of Creek and Indian negro blood and was at least one half Creek Indian blood, and that affiant is an admixture of negro and Creek blood and is at least one fourth Creek blood. Affiant further says that she intermarried with Jesse Edwards about the year of 18 and that by such marriage one child was born namely, Georgie Edwards, age 20 years subsequently she intermarried with Ed Dudley and by such marriage one child was born, namely Pink Dudley age 16 years, and that she subsequently intermarried with Isam Hobbs with whom she now lives. The said children are admixtures of negro and Creek blood and are at least one-fourth Creek blood. And in support of her claim affiant submits the affidavit of herself and and asks that her claim be heard and tried.

Affiant further states. That she has known the said for the past years, and knows that has been and is recognized by her neighbors, acquaintances and the public generally as having Creek Indian blood, and that the complexion and physical appearance of the said indicate that is of Creek Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Kate Orr she believes the said herself to be a descendant by blood of the Creek Indian tribe, and a lineal descendant of the said Kate Orr

Subscribed and sworn to before me this

My Commission expires

5<sup>th</sup> day of Sept 1896  
W. V. Waringham  
Notary Public.

GENERAL AFFIDAVIT OF  
NANCY HOBBS.

No

APPLICATION OF

NANCY HOBBS Et. Al.,

—FOR—

Enrollment in CREEK Nation

Filed on the day of 189

Sec. U. S. Com. Five Civ. Tribes.

Attorney for Petitioner.

CAPITAL PRINT. South McAlester, I. T.

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians:

Nancy Hobbs, Et. Al., PETITIONER, Character Nation, Indian Territory, RESPONDENT, APPLICATION FOR ADMITTANCE AND ENROLLMENT

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner Nancy Hobbs states that was Creek Indian by blood, was duly recognized by the proper authorities as such in and enjoyed all the rights, privileges benefits and annuities of other Creek Indians by blood in the said Nation or Tribe of Indians and that the name of the said Kate Orr, appears or should appear upon the authenticated rolls of the said Creek Indians for the year That petitioner is a lineal descendant of the said Kate Orr to-wit:

Petitioner's name is Nancy Hobbs she is 39 years of age and that her father is South McAlister, I. T. and that she is an admixture of negro and Creek blood and is at least one half Creek blood I derive my Creek blood from my mother the late Kate Orr Harriett Orr, who was the daughter of Kate Orr a full blood Creek Indian woman and who lived and died in the state of Ala. and was born about the year of 17 and died about 1886, and that she was a member of the old Creek Nation, Indian tribe and a citizen of the old Creek Nation.

Applicant further says that she came to the Indian Territory about 1886 and that she has lived here continuously ever since and has been seeking to establish her rights to citizenship in the Creek Nation ever since.

Applicant intermarried with Jesse Edwards, about 18 and by such marriage one girl child was born and is now living namely, George Edwards age 20 years, subsequently and in 18 applicant intermarried with Ed Dudley and by such marriage one male child was born and is now living to-wit Pink Dudley, age 16 years that subsequently and in 18 applicant intermarried with Isam Hobb, with whom she now lives the constitution laws usage and customs of the said Creek Nation or Tribe of Indians, and the laws of the United States and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Creek Tribe of Indians in Indian Territory and entitled to all the rights benefits privileges and annuities of other Creek Indians by blood.

That there are now living legal descendants of your said petitioner two persons, as follows, to-wit:

George Edwards, a Daughter, and 20 years of age Pink Dudley, a Son, and 16 years of age

Wherefore if the premises considered, your petitioner prays that name, with those of

..... said descendants to-wit:

.....  
and ..... be enrolled and admitted to all the rights, benefits, privileges  
and immunities of other ..... Indians, in and to the ..... Nation  
or Tribe or Nations in Indian Territory and your petitioners will ever pray.

.....  
ATTORNEYS FOR PETITIONERS.

The undersigned petitioner, Nancy Hobbs ..... says that the state-  
ments set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Nancy Hobbs  
Petitioner.

Subscribed and sworn to before me, this 5<sup>th</sup> day of Sept 1896.  
M. M. W. W. W. W. W.  
Notary Public.



# 2112  
IN THE MATTER OF

*Green Nation*

Petition and Memorial  
FOR  
CITIZENSHIP

In the Nation, I. T.

*Filed Sep 8/89  
Admission  
com*

*J.P. Muller  
Do Muller St.*

**End**

1896  
CR 69

1896  
CR 69

Do. Wm. Clerk, D. T. Sept. 7<sup>th</sup> 1846.

Hon. James Commission

Vinita, D. T.

G. H. H. H.

E. loved please find applications  
affidavit &c. of Mary Hobbs.

Please fill & give an oblige

J. P. Muller  
ally for (Hobbs)

# APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of *Muscogee* Nation, Ind. Ter.:

GENTLEMEN:—The undersigned, your petitioner, this day makes this *his* Application for Citizenship in the *Muscogee* Nation, in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this.

Application to-wit:  
That *his wife Willie C. Hutto* is the *grand daughter of Betsey Henderson* (now living *87 or 88 years old*) who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this *his* Application for *his* Citizenship by blood, and respectfully awaits the time when *his*

Application shall be truly heard and tried. Respectfully submitted.

Age *34* years, Postoffice *Waynesboro Miss*

Family, with their relationship attached, is as follows:

| NO. | NAMES.         | SEX. | AGE.  | RELATIONSHIP. |
|-----|----------------|------|-------|---------------|
| 1   | Mary Hutto     | F.M. | 13    | Daughter      |
| 1   | David Hutto    | M    | 11    | Son           |
| 1   | Layford Hutto  | "    | 10    | "             |
| 1   | Stephen Hutto  | "    | 8     | "             |
| 1   | Griffin Hutto  | "    | 6     | "             |
| 1   | Sam Hutto      | "    | 4     | "             |
| 1   | Elara Hutto    | "    | 3     | Daughter      |
| 1   | Therbert Hutto | "    | 1 1/2 | Son           |

In witness of which Application, I hereunto set my hand, on this the *34* day of *June* 189*9*

Subscribed and sworn to before me this *34* day of *June* 189*9*

J. P. BYERS, Attorney.

*W. S. Davis*  
Clerk of Court Wayne Co Miss



AFFIDAVIT OF WITNESS.

STATE OF Mississippi }  
COUNTY OF Wayne } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared George W. Mills who after being by me duly sworn states that is 55 years of age, and a citizen of Wayne County and State of Mississippi and that he is personally acquainted with W. J. Hutto & his wife who is an applicant for citizenship in the Muscogee Nation, I. T., and affiant further states that the said W. J. Hutto & Willie E. Hutto is the identical person he represents himself self to be in his application for citizenship in said Nation, and that the said Willie E. Hutto is the wife of the said W. J. Hutto, and is the grand daughter of Betsy Henderson who is now living in this County and is 87 or 88 years of age, and who has always, known & recognized as having one quarter of of Indian blood of said Muscogee Nation.

Affiant further states that he has known the said W. J. Hutto, his wife Willie E. Hutto for the past 25 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having 1/16 Indian blood; and that the complexion, physical appearance, age and manners of the said Willie E. Hutto indicate that the she is of Indian blood. That from the above facts and circumstances and from statements made to me by the said Willie E. Hutto affiant states he has every reason to believe, and does believe that the said Willie E. Hutto is of 1/16 Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said W. J. Hutto & family to citizenship in the Muscogee Nation, I. T., and that is not related by blood or marriage to the said W. J. Hutto.

George W. Mills  
Subscribed and sworn to before me this 12<sup>th</sup> day of June A. D. 1893.  
and I further certify that I am well acquainted with the said Geo. W. Mills  
and know him to be a person of credibility and of  
truth and veracity.

W. S. Davis Clerk  
& Ex-officio Notary Public.  
My commission expires on the 1<sup>st</sup> day of Jan, 1896.

AFTER 10 DAYS RETURN TO  
..JOSEPH P. BYERS..  
ATTORNEY AT LAW  
FORT SMITH, ARK.  
PRACTICES IN THE FEDERAL AND STATE COURTS, AND  
ALL COURTS IN THE INDIAN TERRITORY

No answers in any  
case made by Mrs. Byers.

Back Station

SEPT. 8 1896.  
S. MCKENNON  
COM' R -

6413

Huette

App. of W. J. Huette

May we have  
Miss.

Respected

**End**

1896  
CR 70

1896  
CR 70

Creek 1896 Case #70.

Application for Enrollment.  
To the Hon. Commission to the Five Civilized  
Tribes. Authorized by an act of Congress  
June 1<sup>st</sup> 1876; to hear and determine  
Claims for Citizenship of the Five Civilized  
Tribes.

Gentlemen: The undersigned your  
petitioner, Joe Hutton (or Grayson) Sr.  
for and on behalf of his descendants  
and their heirs, this day make  
this their application to you for the  
purpose of being placed on the  
revised roll the Creek Nation  
and of those entitled to share in  
the distribution of funds and  
allotments of lands in said  
Creek Nation, by virtue of their  
being the descendants of a Creek  
Freedman, who is a recognized  
Citizen of said Creek Nation; and  
I herewith submit the second  
article of the treaty of 1866; the affidavit  
of ~~James Haynes~~ & Hugh Henry  
& James L. Abram

In support of said claim and  
respectfully await the time when  
this application shall be heard and  
tried. Respectfully Submitted  
X Joe Hutton (or Grayson) Sr



2

Enrollment of the family.

| Name                       | Age     | Relationship   |
|----------------------------|---------|----------------|
| Meridy Johnson             | Unknown | Daughter       |
| Jane Grayson               | "       | Daughter       |
| Emily Rose                 | "       | Daughter       |
| Caroline Grayson           | "       | Daughter       |
| Joe Hutton (or Grayson) Jr | "       | Son            |
| James Hutton (or Grayson)  | "       | Son            |
| Doek Hutton (or Grayson)   | "       | Son            |
| Henry Hutton (or Grayson)  | "       | Son            |
| Phessie Rose               | 16      | Grand Daughter |
| Pleasure Rose              | "       | Grand Son      |
| Jane Hutton                | 16      | Grand Daughter |
| Etha Hutton                | 2       | Grand Daughter |
| Paul Hutton                | 6 Mo    | Grand Daughter |
| Joe Johnson                | 16      | Grand Son      |
| Biddie Johnson             | 22      | Grand Daughter |
| Jane Johnson               | 10      | Grand Daughter |
| Franci Johnson             | 14      | Grand Daughter |

No witness of which I have hereunto  
 set my hand on this the  
 day. 1896

Signature, Joe Hutton (or Grayson) real.

Nov 1896 # 70

United States of America  
Northern Dist of the  
Indian Territory }

A. J. Powell being duly sworn  
states upon his oath that  
he has transmitted to the  
Principal Chief of the Creek  
Nation a copy of Joe  
Huttons application for  
and on behalf of his decedents  
unto together with a  
Copy of all the evidence  
in said claim.

X A. J. Powell  
Subscribed and sworn  
to before me this 3 day  
of Sept 1896

190°

X J. F. Finner  
Notary Public

6-1896 - #10

United States of America,  
Northern Dist of the } ss  
Indian Territory

James Quabner being by me  
duly sworn deposes and  
says his name is James Quabner  
that he is 52 years of age, that  
he is acquainted with Joe  
Hutton (or Grayson) Sr, that  
he has known him and his  
descendants for 45 years past  
that Joe Hutton (or Grayson) Sr  
returned to the Creek Nation  
prior to the year 1867 and  
he and his children has  
resided in said Nation  
ever since, that Joe Hutton (or Grayson)  
has always been recognized and  
enjoyed all the privileges as  
Creek Indians. That his children  
returned to the Creek Nation  
when he did and have resided  
here ever since

Witness J. D. Miller James Quabner <sup>his</sup>  
Subscribed and sworn to <sup>agent</sup>  
before me this 5th day of Sept  
1896

X Thos. F. Jones

Notary Public

lv 1846 - #70

United States of America  
Northern Dist of the } ss.  
Indian Territory

Hugh Henry a Creek citizen by  
blood being duly sworn according  
to law deposes and says his  
name is Hugh Henry that he is  
48 years old that he is  
acquainted with Joe Hutton (or  
Grayson) Sr and his descendants  
named in the foregoing petition  
that he has known them  
for 40 years past that he knows  
Joe Hutton (or Grayson) Sr to be  
a recognized citizen of the Creek  
Nation, that he is a Creek  
Indian and that he and  
his children returned to the  
Creek Nation prior to the year  
1867 and have resided in  
said Nation ever since, that  
Joe Hutton (or Grayson) Sr has always been  
used and enjoyed the protection as Creek  
Citizen Hugh Henry

Subscribed and sworn to before me  
this the 5th day of Sept 1896.

J. F. Jones  
Notary Public



Julia Louisa Hutton  
Cock-fu-ku-ku x  
Lula & Dock Hutton



Nov 1895 - 11 1

To the Hon. Commission to the  
Five Civilized Tribes,  
Your petitioner <sup>John Hutton (Gayer)</sup>  
do hereby state and show  
from the proof submitted to the  
Commission that his descendants  
according to the second article of  
the treaty of 1866 are entitled to  
Citizenship, that they now reside  
and have resided in said Nation  
since the year 1866 and he avers  
these facts can be established  
by proof to the satisfaction of the  
Commission under such rules  
and regulation as it may prescribe  
and that he further avers that  
these facts being proven they  
are entitled to be adjudged &  
under the laws of such Nation  
and the laws of the Congress of the  
United States and the treaties  
of such Nation with the United  
States Citizens of such Nation  
with rights and privileges and  
protection of Citizenship in  
such Nation.  
Wherefore - he herewith respectfully  
submits to the consideration

of the Hon. Commission  
Such proof and on the hearing  
of said proof they be adjudged  
entitled to such Citizenship  
and their names be placed ~~on~~  
upon the proper rolls as Citizens  
of such Nation

X Joe Hutton <sup>Dr</sup> (or Grayson) <sup>his</sup>  
United States of America } ss.  
Northern Dist of the }  
Indian Territory }

Now on this the 5th day of  
Sept 1896 personally appeared  
before me Thos. F. Turner  
a Notary Public in and for  
said Territory, who being by  
me duly sworn, reports  
his oath states that the  
foregoing petition are true  
and correct

X Joe Hutton <sup>Dr</sup> (or Grayson) <sup>his</sup>  
Subscribed and sworn to before  
me this the 5th day of Sept 1896  
X Thos. F. Turner  
Notary Public



6219. 1870

Before the Dawes Commission, Vinita, Indian Territory.

Joe Mutton, (or Grayson) :  
for himself and 17 : -----Plaintiff,  
descendants. :

VS. ( Answer.

The Creek Nation, -----Defendant.

/ The defendant denies that the said plaintiff is an enrolled and recognized citizen of this Nation; denies that he and all of the descendants who were living at the date of the Treaty of 1866 came back to the Indian Nation within one year from the ratification of said Treaty and therefore defendant says the plaintiff and his descendants are not entitled to citizenship.

2 The defendant further ~~says~~ says that the said applicant in his said application alleges and prove that he was a person of African descent lawfully residing in the Creek country under the laws and usages at the time the Treaty of 1866 was made or that he had been residing in said country and returned to it within one year from the ratification of the said Treaty.

Wherefore the defendant says the facts stated in the plaintiff's petition are not sufficient to entitle him to citizenship in this Nation or to any of the benefits thereof.

S. R. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*James McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896.

*Notary Public*  
*James McIntosh*  
*Notary Public*



No. 1308,

Joe Hutton (Gryphon Sr.)  
et al

vs.

Ernest Hutton

Filed 7th,

H.M. Jacobson

Clerk

Enfanta  
Ind. Ter.

Department of the Interior,  
Commission to the Five Civilized Tribes.  
OFFICIAL BUSINESS.  
Penalty for private use, \$300.



CREEK

70

Act of  
June 10 1898

Deft # 5  
1-15-41  
CJD

70

**End**

1896  
CR 71

1896  
CR 71

Office of Town Chief,  
Arkansas Town No. 1

I Gabriel Jamison, Town Chief of Arkansas Town No. 1, and  
custodian of the citizenship rolls of the said Town, do solemnly  
swear that the ~~name~~ name of James A. Hancock, as the head of  
the Hancock family in the said Town, together with the names of  
Henry Hancock, , C. P. Hancock, G. A. Hancock, M. L. George,  
L. C. Hancock, W. J. Hancock, O. L. Hancock, <sup>Albert Hancock</sup> ~~L. G. Conley~~, <sup>Ellie V. Hancock</sup> ~~J. L. Conley~~, <sup>Refuses</sup> Luella Hancock and <sup>Mary Ann George</sup> ~~Vada George~~, as children and heirs  
of the said James A. Hancock, are rightfully and properly enrolled  
on the citizenship rolls of the said Town as being lawful citizens  
of the Creek Nation by blood, The above named persons are hereby  
declared full citizens of the Muscogee or Creek Nation and they  
shall be subject to the Creek laws, and shall have all the rights,  
privileges and immunities of the original members of the said  
Creek Tribe.

*Gabriel Jamison*

Subscribed and sworn to before me this 16th day of September  
A. D. 1895

*John H. Karger*  
*Notary Public*

---

No

PETITION OF .

*J. A. Hancock*

for and on behalf of

*himself*

and heirs

~~XXXXXXXX~~ *Sartane*  
*Mills & Wells*

Attorneys for Petitioner.

---



# APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the ~~Cherokee~~ <sup>Creek</sup> Nation:

GENTLEMEN: The undersigned, your petitioner, *J. A Hancock* for and on behalf of *himself* and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of ~~Cherokee~~ <sup>Creek</sup> Indians and of those entitled to share in the distribution of funds and allotments of land in ~~Cherokee~~ <sup>Creek</sup> Nation, by virtue of their ~~Cherokee~~ <sup>Creek</sup> blood, and I herewith submit the

*affidavits of Sackey Grayson, Gabriel Jamison, L. C. Peckham, N. B. Whitclaw*

in support of said claim, and respectfully await the time when *his* application shall be heard and tried.

Respectfully Submitted,

*James A Hancock*

Enrollment of family, with relationship attached, as follows: *Full Creek, I. T.*

| NAMES.                          | AGE.      | RELATIONSHIP.  |
|---------------------------------|-----------|--|
| <i>J. A Hancock</i>             | <i>52</i> | <i>James A Hancock is the son of Robert Hancock who was a Creek Indian by blood.</i>   |
| <i>Mary A. Hancock (wife)</i>   | <i>48</i> |  |
| <i>children Henry D Hancock</i> | <i>29</i> |  |
| <i>Charles P Hancock</i>        | <i>27</i> |  |
| <i>George A Hancock</i>         | <i>26</i> | <i>James A Hancock and his children were upon the Census Roll of the Arkansas Town, in the Creek Nation, but all were stricken from the Rolls illegally.</i> |
| <i>Mary George ne Hancock</i>   | <i>22</i> |  |
| <i>Lizzie Hancock</i>           | <i>19</i> |  |
| <i>William J Hancock</i>        | <i>17</i> |  |
| <i>Ora L Hancock</i>            | <i>11</i> |  |
| <i>grand children</i>           |           |  |
| <i>Elbert C. Hancock</i>        | <i>10</i> |  |
| <i>Ellie L. Hancock</i>         | <i>6</i>  |  |
| <i>Douglas Hancock</i>          | <i>2</i>  |  |
| <i>Ulysses S George</i>         | <i>2</i>  |  |
| <i>Margaret J George</i>        | <i>1</i>  |  |
| <i>James Hancock</i>            | <i>1</i>  |  |

In witness of which I hereunto set my hand on this *1<sup>st</sup>* day *September* 1896

*James A Hancock*

Indian Territory  
Northern Judicial Division {

Now on the 1<sup>st</sup> day of September 1896 personally  
appeared before me W. J. Gratto a Notary Public  
within and for said District and Territory

J. A. Hancock who being sworn deposes and says  
that the facts set forth in the foregoing application  
are true.

Sworn to and subscribed before me this 1<sup>st</sup> day  
of September 1896

W. J. Gratto

Notary Public

No. 189

4923

ORIGINAL APPLICATION OF

J. A. Hancock.

For Citizenship. Filled..... day of.....

.....1896

HUBBARD, GARLAND & WATTS,  
Attorneys for Applicant.

**End**

1896  
CR 72

1896  
CR 72



Ex parte  
Mrs Rosa Island  
for her son  
Henry Island

} To the Hon.  
The Dawes  
Commission  
sitting as a Court  
to try the rights  
of Claimants to  
Citizenship in  
the Creek Nation, in session  
at Vinita and Ter.

Now comes  
your petitioner, Mrs Rosa Island  
~~to~~ in behalf of her minor son  
Henry Island, and complain-  
ing would state unto your  
Honors, that she is a white  
woman, and citizen of the  
United States, residing now,  
and have been residing  
for just five years in said  
Creek Nation, and that  
she married one William  
P. Island a Creek Indian of  
said marriage was performed  
at the time and place and  
by the party whose name  
is attached to their marriage  
certificate, which is hereto  
attached, marked exhibit  
"A" and made part of this

petition, and prayed to be  
considered as evidence of the  
legal marriage of said  
Issa Cary to Wm P. Island,  
and petitioner, would further  
urge state into your honors,  
that said minor son is  
the fruit of said marriage  
and as such is and ought  
to be enrolled on the Citizen-  
ship rolls of the Creek Nation,  
with all the rights, titles and  
privileges of a full blood  
Creek Indian Citizen, and  
she prays that his name  
be so enrolled, and in  
further support of the truth  
of facts set out in this  
petition she offers the affi-  
davit of Edw. Wadsworth  
a Creek Citizen, which she  
prays to be considered,  
and she furthermore prays that  
she hereby swears that the  
facts set forth in this  
petition are true, Wm P. Island  
and her minor son Henry Island  
sworn to and subscribed  
before me at Okfuskee and Fair,  
this day, 8<sup>th</sup> 1890.

R. J. Simpson Notary Public

I do hereby certify that a true  
Copy of the above petition and  
attached affidavits have been sent  
to Isparhester Principal Chief of  
the Muscogee Nation at Okmulgee  
95.

R. J. Simpson  
Notary Public

Phoenix Printing Company, Muskogee, Indian Territory.

UNITED STATES OF AMERICA,<sup>SS</sup>  
INDIAN TERRITORY *First* JUDICIAL DIVISION.

I, WILLIAM NELSON, Clerk of the United States Court in the Indian Territory, and  
Ex-Officio Recorder of said Territory, do hereby certify that *Rev. Pasautin*  
*File* a *minutes of the*  
*gover* has caused to be recorded in my office in the *1st*  
Judicial Division, his license and credentials of his clerical character, and that the same is duly  
recorded in Book *a* of Record of official credentials at page *137*

IN WITNESS WHEREOF I have hereunto set my hand and affixed the  
official seal this *2* day of *October* A. D. 189*1*

*Wm Nelson*  
Clerk of the United States Court in the Indian Territory and  
Ex-Officio Recorder of the Indian Territory.

*by W. D. Shaefferford Deputy*



Crede nation

Town of Eufaula, Ala. 55

The affiant, Rev. Jas. B. Sizer, being duly sworn, deposes and says that he is and has been a member of the Presbyterian church for over ten years and has been so considered by all who know him. Deposition. Further says that on the 18 day of Feb 1891 at the residence of J. B. Casey, he united in marriage Willie B. Casey and Miss Rosa Casey, both according to the laws and usages of the Crede nation.

As witness my hand

Witness to my oath

Rev. Jas. B. Sizer

John B. Henry

Subscribed and sworn to before me  
King, J. Butler a. U. S. Commissioner for the U. S.  
Circuit Court for the Western District of Ark this  
5th day of June, 1891

As witness my hand  
As witness John Montgomery



Ex parte  
Mrs Rosa Island  
in behalf of her  
son Henry Island

I affidavit  
of Cad  
Wadsworth  
a Creek Citizen  
residing near  
Eufaula S.T.

Personally appeared before the  
undersigned authority, Cad  
Wadsworth, well known to  
me to be a Creek Citizen,  
who after being duly sworn  
deposes and says:

My name  
is Cad Wadsworth, I live near  
Eufaula S.T. and have been  
here nearly all my life, I knew  
Wm R Island, I knew he married  
a white woman, and they  
had one child, named Henry  
Island, and the child is  
alive now, and I have  
heard Wm R Island say  
that the child was his  
child, and was the fruit  
of his marriage to a white  
woman, I have known  
the white woman Mrs  
Rosa Island and know her

now, and I know the  
Child now, and recognise  
this Child Henry Island  
as being the Child that Wm  
Island acknowledged to  
me in his life-time  
as being his.  
God bless both.

Sworn & Subscribed to before  
me this 8th August 1896.

W. J. Johnson Notary Public

No. 89. 71-  
Mr. Rosa Island  
for Henry Island.  
Creek Nation

Filed Aug. 30. 1896,  
A. S. McKinnon.  
Cont.

Admission  
" "

Enfauia & T.



**End**



1896  
CR 73

1896  
CR 73

John

1871

# APPLICATION FOR CITIZENSHIP.

To The Honorable National Council of Creek Nation, Ind. Ter.

Gentlemen:—The undersigned, your petitioner, this day makes this 1st Application for Citizenship in the Creek Nation, in the Indian Territory, in accordance with the Constitution and laws of said Nation, and respectfully makes the following statement of the grounds of this 1st Application to-wit:

That Isabella Engersoll is the Daughter of one Henry Engersoll who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this 1st Application for Creek Citizenship by blood, and respectfully waits the time when 1st Application shall be truly heard and tried. Respectfully submitted.

Age 57 years, Postoffice La Fayette Oklahoma.

Family, with their relationship attached as follows:

| No. | NAME.               | SEX.   | RELATIONSHIP. |
|-----|---------------------|--------|---------------|
| 1   | Isabella Engersoll  | female | Daughter      |
| 2   | Jefferson Engersoll | male   | "             |
| 3   | George P. Engersoll | "      | "             |
| 4   | Jefferson Engersoll | "      | "             |
| 5   | John Engersoll      | "      | "             |
| 6   | William Engersoll   | "      | "             |
| 7   | Isabella Engersoll  | "      | "             |
| 8   | Isabella Engersoll  | female | Daughter      |
| 9   | Elizabeth Engersoll | "      | "             |
| 10  | John Engersoll      | "      | "             |
| 11  | Isabella Engersoll  | "      | "             |
| 12  | Isabella Engersoll  | "      | "             |

In witness of which Application, I hereunto set my hand on this the 2d day of January 1894 Isabella Engersoll  
 subscribed and sworn to before me this 2d day of January 1894  
 Joseph P. Byers, Attorney at law

Notary Public  
 La Fayette

**AFFIDAVIT OF WITNESS.**

STATE OF *Alabama* }  
COUNTY OF *Chambers* } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared *Lucy A. Davis* who after being by me duly sworn states that *she* is *41* years of age, and is a citizen of *Chambers* County and State of *Alabama* and that *she* is personally acquainted with *Isabella Ingemoil*.

Who is an applicant for citizenship in the *Creek* Nation, I. T., and affiant further states that the said *Isabella Ingemoil* is the identical person *she* represents herself to be in *her* application for citizenship in said Nation and that the said *Isabella Ingemoil* is the daughter of *Major Freeman* who is believed to be of *Indian* blood.

Affiant further states that *she* has known the said *Isabella Ingemoil* for the past *45* years and knows that *she* is and has been recognized and treated by *her* neighbors, acquaintances and the public generally as a person having *Creek* Indian blood and that the complexion and physical appearance of the said *Isabella Ingemoil* indicate that the said *Isabella Ingemoil* is of Indian blood. That from the above facts and circumstances and from statements made to *me* by the said *Isabella Ingemoil* Affiant states *she* has every reason to believe and does believe that the said *Isabella Ingemoil* is of *Creek* Indian blood.

Affiant further states that *I* *she* has no interest whatever in the prosecution of the claim of the said *Isabella Ingemoil* to citizenship in the *Creek* Nation, I. T.

Subscribed and sworn to before me this *25* day of *June*, A. D., 189*4*.  
and I further certify that I am well acquainted with the said *Mary A. Stahon*  
and know *her* to be a person of credibility and of truth and veracity.

*W. T. Meador* Notary Public  
My Commission Expires on the *6* day of *October*, 189*5*.

Joseph P. Byers, Attorney at Law.

The State of Alabama }  
Chambers County }

I, Guilford McBord  
Clerk of the Circuit Court in and for said  
County and State, do hereby certify that J. J.  
Meadors who has signed his name to the foregoing  
declaration and affidavit, was at the time of  
So doing a Notary Public & Ex. Off. J.P. in and  
for said County and State, that his term of office  
began Oct<sup>r</sup> 5<sup>th</sup> 1892, and expires Oct<sup>r</sup> 5<sup>th</sup> 1895,  
duly commissioned and sworn, that all his offi-  
cial acts are entitled to full faith and credit;  
and that his signature thereunto is genuine.

Witness my hand and Seal of Office this Jan 26<sup>th</sup> 1894.

Guilford McBord  
Clerk



## AFFIDAVIT OF WITNESS.

STATE OF Alabama  
COUNTY OF Chambers ) ss.

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared William L. Lantry <sup>with 2 P.</sup>  
who after being by me duly sworn states that he is 87 years of age, and is a citizen of Chambers County and State of Alabama and that he is personally acquainted with Isabella Ingram  
Who is an applicant for citizenship in the Creek Nation, I. T., and affiant further states that the said Isabella Ingram is the identical person she represents her self to be in her application for citizenship in said Nation and that the said Isabella Ingram is the daughter of Molly Ingram who is believed to be of Indian Blood

Affiant further states that he has known the said Isabella Ingram for the past 50 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Creek Indian blood and that the complexion and physical appearance of the said Isabella Ingram indicate that the said Isabella Ingram is of Indian blood. That from the above facts and circumstances and from statements made to me by the said Isabella Ingram Affiant states he has every reason to believe and does believe that the said Isabella Ingram is of Creek Indian blood.

Affiant further states that he has no interest in the prosecution of the claim of the said Isabella Ingram to citizenship in the Creek Nation, I. T.  
William L. Lantry

Subscribed and sworn to before me this 28<sup>th</sup> day of January A. D. 1894  
and I certify that I am well acquainted with the said William L. Lantry and know him to be a person of credibility and of truth and veracity.  
T. T. McAdams Notary Public <sup>with 2 P.</sup>  
My Commission Expires on the 6<sup>th</sup> day of October 1895  
Joseph P. Byers, Attorney at Law. J. M. Cain, Artist Printer.

The State of Alabama }  
Chambers County } I, Guilford McGord

Clerk of the Circuit Court-in and for  
Said County and State, do hereby certify that  
T. T. Meadors who has signed his name in the  
foregoing declaration and affidavit was at the  
time of so doing a Notary Public and ex. off.  
J. P. in and for Said County and State, that  
his term of office, commenced Oct- the 5<sup>th</sup> 1892  
and will expire Oct- the 5<sup>th</sup> 1895; duly commis-  
sioned and sworn, that all his official acts are  
entitled to full faith and credit-and that his  
signature thereunto is genuine

Witness my hand and seal of Office, this Jan 25<sup>th</sup> 1894  
Guilford McGord  
Clerk

$$\left. \begin{array}{l} \text{---} \\ \text{---} \\ \text{---} \end{array} \right\} SS.$$
[illegible]

Affiant further states that he has known the said Frederick for the past 26 years and knows that he is and has been recognized and treated by neighbors, acquaintances and the public generally as a person having Indian blood and that the complexion and physical appearance of the said Frederick indicate that the said Frederick is of Indian blood. That from the above facts and circumstances and from statements made to me by the said Frederick Affiant states he has every reason to believe and does believe that the said Frederick is of Free Indian blood.

Affiant further states that ..... he has no interest whatever in the prosecution of the  
claim of the said ..... to citizenship in the ..... Nation. 27

Anthony X Barone

Subscribed and sworn to before me this 24<sup>th</sup> day of January A. D. 1894  
and I further certify that I am well acquainted with the said Anton, B.  
and know him to be a person of credibility and of truth and honor.

My Commission Expires on the 3<sup>rd</sup> day of August 1940

Joseph P. Byers, Attorney at Law.

♦ J. M. CARR, CHIEF CLERK, TEL. 220-7741. ADL.

AFTER 10 DAYS RETURN TO  
JOSEPH P. BYERS.  
ATTORNEY AT LAW  
FORT SMITH, ARK.

PRACTICES IN THE FEDERAL AND STATE COURTS AND  
ALL COURTS IN THE INDIAN TERRITORY

6194

FILED SEPT. 8

A. S. MCKENNA

COM'R

Chas. Chatham

Wm. F. Ingalls  
Lafayette  
Ala.

**End**



1896  
CR 74

1896  
CR 74

REGISTRY RECEIPT.

Post Office at Fahlegah, D. T.  
Registered Letter (Pages) No. 140 Rec'd Sept 1 1896  
of Mr M. Johnson  
Fah, D. T.  
addressed to H. W. Excellency Chief of Bank Nat  
Okmulgee, D. T.  
W. A. Thompson P. M.

Justice Hall, of America  
Western District Ind 1871 }

Before me the  
undersigned authority personally appeared  
Wm. H. Johnson who after being by me  
sworn says that I on the one hand and  
Ezra H. Johnson on the other  
whereby attested and that I have this  
day registered a letter to the Chief of  
the Creek Nation J. H. containing true  
and correct copies of an indictment and  
evidence returned to by a Grand Jury  
Wm. H. Johnson.

Subscribed and sworn to before me  
this 1st day of Sept 1871

Notary Public  
By Commission Expires Jan 1st 1872

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes  
in the Indian Territory:

Your petitioner, Lizzie L. Johnson, undersigned, respectfully states that she is a Creek Indian by blood, and asks to be enrolled as a member of the Creek Nation of Indians in the Indian Territory. That she derives her said Indian blood from John Howard, her grandfather, who was a Creek Indian by blood. Her said grandfather was the son of Isaiah Howard, her mother's name was Elizabeth and her maiden name was Howard and she is the daughter of John and Isabella Howard.

Your petitioner states the above facts as the lawful grounds of her application for citizenship in the Creek Nation, and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Creek Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 45 years. My Post Office address is Wagon, Okla. Terr.  
My family consists of the following-named persons: My self and children, as follows:  
Lizzie L. Johnson aged 45 years,  
John Johnson aged 17 years,  
Frank Johnson aged 15 years,  
Elizabeth Johnson (daughter) aged 14 years,  
Anna D. Johnson aged 11 years,  
Anna Reed Johnson (son) aged 4 years,  
aged        years,  
aged        years,  
aged        years,  
aged        years.

WITNESS my hand this 29 day of August, 1896.

Lizzie L. Johnson

United States of America.  
Indian District of Okla.

Personally appeared before me, the undersigned authority, Lizzie L. Johnson to me known to be the petitioner in the above petition, who being by me first duly sworn, upon her oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition, and that the facts stated therein are true, as she verily believes.

Subscribed and sworn to before me at  
this 29 day of August, A.D. 1896.

W. D. Mason  
Notary Public

My Commission Expires Jan. 3rd 1900

# AFFIDAVIT OF WITNESS.

STATE OF Georgia }  
COUNTY OF Pickens } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared David Kaylor, who after being by me duly sworn states that he is 76 years of age, and a citizen of Pickens Co. County and State of Ga. and that he is personally acquainted with Liza Johnson who is an applicant for citizenship in the Creek Indian Nation, I. T., and affiant further states that the said Mrs. Liza Johnson is the identical person she represents her self to be in her application for citizenship in said Nation, and that the said Liza Johnson is The Grand Daughter of on Mrs. Jane & Wood who married one Howard who formerly lived in Lincoln Co. State of Vt. on Clark Creek & that the Woods of said Creek Co. & State all was owned that they had Creek Indian blood & that said Mrs. Howard was half Creek so considered by all the Community in Lincoln Co. Vt. Miss Jane Wood wife of one Howard had two children one Sam J. L. Howard one daughter that married one Calver who is the parents of Mrs. Liza Johnson Applicant  
Affiant further states that he has known the said Liza Johnson for the past 40 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Creek Indian Indian blood; and that the complexion, physical appearance, features of the said Liza Johnson & her features indicate that the said Liza Johnson is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Mrs. Johnson Grandmother affiant states he has every reason to believe, and does believe that the said Mrs. Johnson is of Creek Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Mrs. Liza Johnson to citizenship in the Creek Nation, I. T., and that is not related by blood or marriage to the said he.

David Kaylor  
Subscribed and sworn to before me this 15 day of May A. D. 1897.  
and I further certify that I am well acquainted with the said David  
Kaylor and know him to be a person of credibility and of  
truth and veracity.

W. Pharr W. P.  
Notary Public.

My commission expires on the 15 day of September, 1898.



Witney  
on case.

Mrs Lirrie b Johnson  
For

Citizenship Club, D. Y.

Affidavit of Witness

State of Georgia Lirrie C Johnson  
County of Murray

Before me the undersigned a Notary Public  
in and for the County and State aforesaid  
personally appeared

who after being by me duly sworn  
states that he is 83 years of age  
and a citizen of Murray County and  
State of Georgia and that he is personally  
acquainted with Lirrie C Johnson  
who is an applicant for citizenship in  
Creek Nation, I. T. And affiant  
further states that the said Lirrie C  
Johnson is the identical person she  
represents herself to be in her application  
for citizenship in said Nation and  
that the said Lirrie Johnson  
is the Grand daughter of one Miss  
Jane Airwood who married over  
a man by name of Zachariah Howard  
who formerly lived in Lyman County  
in State of North Carolina on Look  
Creek and that the Airwoods of said  
County and State above mentioned  
own that they had Creek Indian blood  
and that Mrs. Jimmy Howard who was  
formerly Miss Jane Airwood was a half breed  
so considered by all who knew her  
over

My Jane Aravosa wife of the said  
Hawera & was the mother of  
Children and son J. S. Hawera  
a daughter named Elisabeth who  
was married Eli Kaylor who is  
the mother of Mrs Lizzie L. Johnson  
the applicant and the affiant further states  
that they have known the said  
Lizzie Johnson 40 years and  
knows that she is and has been  
recognized and treated by her  
neighbors and public generally as  
a person having Creek Indian blood  
and the complexion and physical  
appearance of the said Lizzie Johnson  
is that of Indian and her brother & sister  
has the same appearance and from  
all the facts and circumstances  
and statements made to the affiant  
by the said Mrs Johnson's own  
mother the affiant ~~he~~ has every  
reason to believe and does believe  
that the said Mrs Johnson is  
of Creek Indian blood.  
The affiant further states that he  
has no interest whatever in the  
prosecution of this claim of the said  
Mrs Lizzie L. Johnson to citizenship  
in the Creek Nation. & T.

J. C. Kaylor

Subscribed and sworn to before  
me this 22 day of May A.D. 1893  
And I further certify that I am  
well acquainted with the said  
Daniel Taylor and know him to  
be a person of credibility and of  
truth and veracity

My Commencement Expires on the  
2nd of July Ordinary and  
Provisional Clerk



# AFFIDAVIT OF WITNESS.

STATE OF North Carolina )  
COUNTY OF Chatham ) ss.

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared Leizza C. Johnson who after being by me duly sworn states that, is 25 years of age, and a citizen of Chatham County and State of North Carolina and that she is personally acquainted with Leizza C. Johnson who is an applicant for citizenship in the Creek Indian Nation, I. T., and affiant further states that the said Leizza C. Johnson is the identical person she represents self to be in this her application for citizenship in said Nation, and that the said Leizza C. Johnson is a granddaughter of an

of Miss Jane A. Howard who married one Howard who formerly lived in Lincoln Co. NC - on a back creek that the Howard of said Co. & St. all ways owned that the Howard of Indian blood & was so considered by the people in Lincoln Co. NC she married one Howard who is the mother of Leizza C. Johnson making Leizza C. Johnson the grand daughter of she Howard who married a Howard.

Affiant further states that she has known the said Leizza C. Johnson applicant for the past 40 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Creek Indian blood; and that the complexion, physical appearance, language and manners of the said Leizza C. Johnson does indicate that the said Leizza C. Johnson is of Indian blood. That from the above facts and circumstances and from statements made to me by the said Jane A. Howard affiant states she has every reason to believe, and does believe that the said Leizza C. Johnson is of Creek Indian blood.

Affiant further states that she has no interest whatever in the prosecution of the claim of the said Leizza C. Johnson to citizenship in the Creek Indian Nation, I. T., and that is not related to the said Sarah Robinson

Subscribed and sworn to before me this 1st day of June A. D. 1893

and I further certify that I am well acquainted with the said Sarah Robinson and know her to be a person of credibility and of truth and veracity.

J. P. Burnett J. P.

My commission expires on the August day of 1893



State of North Carolina be it remembered  
I A Hill Clerk Superior Court in and  
for said County and State do hereby certify that  
J P Burnett Esq. whose name appears to the  
foregoing Certificate is and was at the time of  
signing the same a Justice of The Peace in and for  
said County and State duly Commissioned and  
qualified and that his signature thereto is  
genuine. Witness my hand and Seal of  
office on this the 2<sup>nd</sup> day of June 1895

A. A. Hill

Clerk Superior Court

Application of No 5951  
Lizzie C Johnson.  
Citizenship in the  
Creek Nation

No. 5951

Filed Sept. 2. 1896

A. S. McKinnon  
Clerk

Wm M Johnson  
Petitioner

# AFFIDAVIT OF WITNESS.

STATE OF Ill. }  
COUNTY OF Franklin } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared James M. Kaylor who after being by me duly sworn states that he is 44 years of age, and a citizen of Cleveland P. Bradley County and State of Illinois and that he is personally acquainted with Lizzie C. Johnson who is an applicant for citizenship in the Creek Nation, I. T., and affiant further states that the said Lizzie C. Johnson is the identical person. She represents herself to be in her application for citizenship in said Nation, and that the said Lizzie C. Johnson is the grand daughter of one John A. Wood, Affiant further states that he has generally understood by information of his father (who is dead) that the grandmother of Lizzie C. Johnson, the applicant was of Creek Indian blood, and was so considered by the community in which she lived. Affiant further states that he is of Indian descent and is not interested in any claim at such. Affiant further states that he has known the said Lizzie C. Johnson for the past 40 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally, as a person having Creek Indian blood; and that the complexion, physical appearance, ~~language and manner~~ of the said Lizzie C. Johnson <sup>after her brother states</sup> indicate that the said Lizzie C. Johnson is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Miss Johnson and acquaintances affiant states he has every reason to believe, and does believe that the said Lizzie C. Johnson is of Creek Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Lizzie C. Johnson to citizenship in the Creek Nation, I. T., and that is not related by blood or marriage to the said Lizzie C. Johnson.

Subscribed and sworn to before me this 19 day of June A. D. 1893  
and I further certify that I am well acquainted with the said James M. Kaylor  
and know him to be a person of credibility and of truth and veracity.

James M. Kaylor  
My commission expires on the 19 day of June, 1893

THE UNIVERSITY OF CHICAGO

1. 1000

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2000 and 2001 Contributions: \$14,100

POOR ORIGINAL -  
BEST AVAILABLE COPY

**End**



1896

CR 75

1896  
CR 75

|                |    |        |
|----------------|----|--------|
| James L. Jones | 40 | Father |
| Anna Jones     | 14 |        |
| Willie Jones   | 12 |        |
| John A. Jones  | 10 |        |
| Anazana Jones  | 8  |        |
| Darrel Jones   | 6  |        |
| Bella Jones    | 4  |        |
| Stanley Jones  | 2  |        |

To The Hon. Henry L. Davis and  
Others Composing The Commission  
To The fine Civilised Tribes

Gentlemen the under signed; as  
petitioners James Jones

for and on behalf of

and where, this day makes this there  
Application to you for the purpose  
of being placed on The Revised Roll  
of Indians and of those  
intitled to share in the Distribution  
of fund and ~~and~~ allotments of  
Land in Nation By  
virtue of their Blood and  
I here with submit the

in support of said Claim and  
Respectfully await the time when  
Claimant Application shall be  
heard and tried Respectfully

To The Hon Henry J James and others  
Composing the Commission to the Free City of  
Dublin  
I enclose the undersigned your petition

for and on the behalf of  
an heirs this day makes this his application  
to you for the purpose of being placed in the  
revised roll of <sup>landowners</sup>  
those entitled to share in the distribution  
of funds and the allocation of lands in  
said <sup>portion by virtue of</sup>  
his blood and I herewith submit

in support of said claim and request and  
the time when said claimant's application  
shall be heard and tried

to the Honorable Henry T. Grew  
and others Composing the Commission  
to the five Civilized Tribes  
your petitioner Anday James  
would state and show from the Proof  
Submitted to the Commission that he  
is By Decent and and  
By Blood having his Bond in  
County of and State of  
on Day of 18  
his Father's name was Tullis Jones  
and his mother Mary Jones  
that he now Reside in and  
have Resided there for years and  
he avers these facts can be  
Established By proof to the  
Satisfaction of the Commission under  
Such Rule and Regulation as it  
prescribe and he further avers  
that these facts being Proved he  
is entitled to be adjudged  
and under the Laws of such nation  
and the Laws of the United States  
and the Treaties of such nations with  
the United States a Citizen of such  
nation with all the Rights Privileges  
and Protection of Citizenship in  
such nation as here before he here with



Respectfully Submits to The Consideration  
of the Honorable Commission ~~Proof~~  
such Proof and on the hearing  
he be adjudged entitled to such  
Citizen Ship and the name be  
Placed on the proper Roll as a  
Citizen of such nation

Attest J. H. Stevens *J. H. Stevens*  
State of Arkansas }  
County of Pike } ss

Now on this 7 day of Sept 1876  
Personally appeared the for me  
J. H. Stevens is Notary Public  
for said County and State  
who being duly sworn  
upon his oath States that the  
facts set forth in the foregoing  
petition correct and true

Subscribed and sworn to be  
given me on this the 7 day of Sept  
1876

J. H. Stevens  
Notary Public

J. J. Jones

To the Hon Henry Jones and  
Others composing the Commission  
to the Line Tribes

Your petitioner J. S. Jones  
would state and show from the  
proof submitted to the Commission  
that he is a <sup>by descent</sup>  
and by blood having been born in  
Pontiac County <sup>State of</sup> Miss  
on 15 day of January 1853

My father's name was Willis Jones  
<sup>mass Jones</sup> My Mother's name  
was <sup>mass Jones</sup> ~~than~~ I now reside in Pike County  
and State of Ark and have resided  
here for 35 years and he avers these  
facts can be established by proof. The  
satisfaction of the Commission under  
such rules and regulations as it may  
prescribe and he further avers that  
these facts being proved he is entitled  
to be adjudged under the laws of such  
Nation and the laws of the United  
States and the treaties of such Nation  
with the United States a citizen of  
such Nation with all the rights  
privileges and protection of citizen-  
ship in such Nation. wherefore he  
herein respectfully submits

to The Consideration of The Feor.  
Commissioners, South, & Co. and on  
the hearing he be adjudged entitled  
to such citizenship and he name be  
placed on upon the proper roll as a  
Citizen of such Nation

James L. Jones

State of Arkansas }  
County of Pike } ss

Now on this 4 day of September 1896  
person appeared before me

J. A. Stevens a Notary Public.  
for the County and State afore said

James L. Jones who being  
duly sworn upon his oath states that  
facts set forth in the foregoing petition  
are correct and true

Subscribed and sworn to before me  
on this day of 1896

J. A. Stevens  
Notary Public

of interest  
to the  
public

4679

Cady Jones

No. Nation

FILED SEPT. 9 1896.  
A. S. MCKENNON  
COM'R



To the Hon Henry J. James and others  
Comprising the Commission to the Five  
Civilized Tribes  
I, the petitioner, Joseph C. Jones  
would state and show from the proof  
submitted to the Commission that he is  
a <sup>by descent and by blood</sup>  
having been born in <sup>like</sup> <sup>county</sup>  
State of Arkansas on the 25 day of  
August 1871 my father's name  
was James J. Jones my Mother was  
Della J. Jones that he now resides  
in Fifth <sup>county</sup> State of Ark  
and here he has resided for <sup>years</sup> and he  
averts these facts can be established by  
proof to the satisfaction of the Commission  
under such rules and regulations as it  
may prescribe and he further averts that  
these facts being proven he is entitled to be  
adjudged under the laws of such nation  
and the laws of the United States and  
the Treaties of such nation with the  
United States a citizen of such nation with  
all the rights to privileges and protection  
of citizenship in such nation.  
Wherefore he herewith respectfully submits  
to the consideration of The Hon  
Commission such proof

and on the hearing he he appears to entitle  
himself to citizenship and his name be placed  
upon the proper roll as a citizen of  
this Nation.

Joseph L. Jones.

State of Ark.  
County of Pike

I have on this 3 day of Sept-  
1891 personally appeared before me  
J. L. Stevens, a Notary  
Public for said County and State  
Joseph L. Jones who  
being duly sworn, upon his oath states  
that the facts set forth in the foregoing  
petition are correct and true  
and he subscribes and swears to before me  
on this 3 day of Sept- 1891

Notary Public

**End**

1896  
CR 76

1896  
CR 76

NEXT  
IMAGE  
GLUED



*Lucy Johnson et al.*

aged \_\_\_\_\_ years  
aged \_\_\_\_\_ years

On August 1. 1. August 27, 1896.

I, C. C. Belcher, Post Master at  
the above named Office do hereby certify that I have this day  
received as Post Master for mailing, from E. W. Sawyer, Attorney  
at Law, a copy of Petition and Evidence in the case of Lucy  
Johnson et al. for citizenship in the Creek  
Nation, addressed to Sam Richey, Chief of the Creek Nation, at  
Muskogee Indian Territory, enclosed in a sealed envelope with  
the said copy of Petition and Evidence, and that this Office is the place  
where said Chief mails his mail, and that said envelope and enclosure  
were deposited in the mails.

C. C. Belcher  
Post Master aforesaid.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes  
in the Indian Territory:

Your petitioner, *Lucy Johnson*, and signed, respectfully  
tates that ~~he~~ *she* is a *Creek* Indian by blood, and asks to be enrolled as a member of the  
*Creek* Nation of Indians in the Indian Territory. That ~~he~~ *she* derives ~~her~~ said Indian  
blood from *Fanny Moon* *her mother*, who was a  
*Creek* Indian by blood, and that *she* is a  
*sister* of *Maney Hutton*, who was a  
*Creek* Indian by blood & who was on  
the rolls as a citizen of said *Creek*  
*Nation* & was readmitted by act of Council  
Oct 3, 1890, *afterwards* *minutely* *checked* *from* *the* *rolls*.

Your petitioner states the above facts as the lawful grounds of *her* application for citizenship in the  
*Creek* Nation, and prays that *her* claim may be fully investigated by your  
Honorable Commission and that ~~he~~ *she* be adjudged to be a citizen of said *Creek*  
Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with  
the laws and treaties with said Nation of Indians.

My age is *81* years. My Post Office address is *Dadeville, Ala*  
My family consists of the following-named persons: My *self* and children as follows:  
*Lucy Johnson* aged *50* years  
*Isaac Johnson* aged *20* years  
*and three children, all of which* aged *10* years  
*are included in this* aged *5* years  
aged *3* years  
aged *2* years  
aged *1* years  
aged *1* years  
aged *1* years  
aged *1* years  
aged *1* years  
aged *1* years

WITNESS my hand this *22* day of *July* 1896

*State of Alabama*  
*Tallapoosa County*

*Lucy Johnson*

Personally appeared before me, the undersigned authority, *W. C. Beck, clerk of court*  
to me known to be the petitioner in the above petition, who being by me duly sworn, upon *her* oath  
says that ~~he~~ *she* is the petitioner in the above petition, that ~~he~~ *she* has read (or heard read) the said petition,  
and that the facts stated therein are true, as ~~he~~ *she* verily believes.

Subscribed and sworn to before me at *Dadeville, Alabama*  
this *22<sup>nd</sup>* day of *July*, A.D. 1896.

*W. C. Beck*  
*clerk circuit court*  
*Tallapoosa County, Alabama.*

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes  
in the Indian Territory:

Your petitioner, James Johnson, undersigned, respectfully states that he is a Creek Indian by blood, and asks to be enrolled as a member of the Creek Nation of Indians in the Indian Territory. That he derives his said Indian blood from Lucy Johnson, his mother, who was a Creek Indian by blood, and a full sister of Wancy Tentan, who was in the Creek rolls and who died and was buried at Eufaula Indian Territory, and further that this claimant and his family was admitted by act of the Creek Council Oct. 1890, and a blue card was given to said claimant.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Creek Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Creek Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 54 years. My Post Office address is Dadeville, Ala.  
My family consists of the following-named persons: My wife and children, as follows:  
Mary Lucy Johnson aged 13 years.  
Eugene Johnson aged 11 years.  
aged \_\_\_\_\_ years.  
aged \_\_\_\_\_ years.  
aged \_\_\_\_\_ years.  
aged \_\_\_\_\_ years.  
aged \_\_\_\_\_ years.  
aged \_\_\_\_\_ years.  
aged \_\_\_\_\_ years.  
aged \_\_\_\_\_ years.

WITNESS my hand this 22 day of July, 1896.

James Johnson

State of Alabama } ss.  
Tallapoosa Co.

Personally appeared before me, the undersigned authority, James Johnson to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

James Johnson

Subscribed and sworn to before me at Dadeville, Alabama, this 22 day of July, A.D. 1896.

Wm. C. Roach  
Blacksmith  
County, Alabama

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes  
in the Indian Territory:

Your petitioner, Joseph H Johnson, undersigned, respectfully states that he is a Creek Indian by blood, and asks to be enrolled as a member of the Creek Nation of Indians in the Indian Territory. That he derives his said Indian blood from Lucy Johnson, his mother, who was a Creek Indian by blood, and a full sister of Nancy Hutton, who was on the Creek rolls and who died and was buried at Eufrasia Indian Territory, and farther, that this claimant and his family was admitted by act of the Creek Council, Oct 1890 & afterwards unjustly left off said roll

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Creek Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Creek Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 48 years. My Post Office address is Dadeville, Ala.  
My family consists of the following-named persons: My wife and children, as follows:  
George B. Johnson aged 16 years.  
Mildred Kate Johnson aged 13 years.  
Lilly Erin Johnson aged 12 years.  
Eufrasia Parnell Johnson aged 10 years.  
Wiley S. Johnson aged 6 years.  
Twins } Judson B. Johnson aged 6 years.  
aged years.  
aged years.  
aged years.  
aged years.

WITNESS my hand this 22 day of July 1896.  
Jos. H Johnson

State of Alabama } ss.  
Tallapoosa County

~~sub~~ Personally appeared before me, the undersigned authority, Jos H Johnson, ~~Wm C Roark, Clerk~~ to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Jos H Johnson  
Subscribed and sworn to before me at Dadeville, Alabama  
this 22 day of July, A.D. 1896.

Wm C. Roark  
Notary Public  
County, Alabama.



State of Alaska. )  
Matanuska County. ) Before me, J. . Root, Clerk of District Court of said  
County, personally appeared Lucy Johnson who being duly sworn both before  
and now that she is the daughter of Pansie Moore and the sister of Nancy  
Hutten, both of whom were Creek Indians and blood, that said Nancy Hutten re-  
moved to the Indian Territory and was a citizen of the Creek Nation of said  
Territory.

Subscribed and sworn to before me this the  
22<sup>nd</sup> day of July 1902.

*Wm. C. Root*  
Clerk of District Court.

*Lucy Johnson*



State of Alabama, )  
I, J. B. Roach, Clerk of the Circuit Court of said  
County, personally appeared before me and was sworn to  
and depose that he is a resident of the Indian Territory, in  
the County of Muskogee, and is the owner of said land, and  
that upon the roll of said tribe as citizens of said tribe and family consisting  
of the following named persons Mary Mary Johnson and Eugene Johnson, and  
that said land was placed on said roll as citizens his brother Joseph  
A. Johnson and his family consisting of the following named persons George  
B. Johnson, Mildred Kate Johnson, Lily Mae Johnson, Lurana P. Johnson,  
and that said land was placed on said roll as a citizen and his brother  
and that he has been informed that sometime during the Council of  
1901 or 1902 of said Creek Nation by the kind of a committee, struck all of  
said names from the Creek roll and declared the same as citizens.

Subscribed and sworn to before me this )

22<sup>nd</sup> day of July 1900. )

Wm. B. Roach )  
Clerk Circuit Court. )

James Johnson

State of Alaska, )  
Aleutian County. ) Before me, Mr. J. H. Johnson, Clerk of District Court of said  
County. ) Joseph H. Johnson who being duly sworn both deposes  
and says that he is the son of Lucy Johnson. His mother Mary Ann  
Harris, who is the widow of James Harris, late of said County, Alaska  
Territory, and that the said Mary Ann Harris was born in the County of  
Aleutian, and that she was married at Sitka, Alaska Territory.

Subscribed and sworn to before me this )  
the 22<sup>nd</sup> day of July 1907. )  
Wm. L. Rieck )  
Notary Public for Alaska Territory. )

Jos. H. Johnson

State of Alabama, )  
Tallapoosa County. ) Before me Mr. J. B. Beck, Clerk of said county, )  
personally appeared M. J. Berry <sup>with</sup> Mr. Fanny  
and being duly sworn deposes and says, that he was acquainted with  
Moore during her life time and that she was an Indian of the Creek  
tribe, and that she was the mother of Fanny Johnson, and that said  
Fanny Johnson is an Indian of Fanny Johnson.

Sworn to and subscribed to in my presence this 22<sup>nd</sup> day of May, 1880.

22<sup>nd</sup> day of May, 1880.

Wm. B. Beck  
Clerk of said county.

M. J. Berry

State of Alabama, )  
                              )  
                              )

Before me, W. C. Rogers, Clerk of the Court, of said  
County, personally appeared James Harrison and wife, Mary  
Harrison, who are the husband and wife of each other, and  
the mother of the said Mary Harrison, both of whom were born  
and raised in the State of Maryland, and who are now  
residing in the County of Madison, Indian Territory:

Subscribed and sworn to before me on this )  
the 22<sup>nd</sup> day of July 1883. )  
Wm. C. Rogers )  
Clerk of the Court.

James Harrison

1944-1945

... ..

Witness my hand and seal this 10th day of June 1901.

\_\_\_\_\_  
 E. Purcell

1. The first group of people who are interested in the study of the history of the United States are the people who are interested in the history of the United States.

100-443887-100

22

E. Purcell

Wm. C. Roach



IN THE MATTER OF THE APPLICATION OF LUCY JOHNSON, JAMES JOHNSON,  
SONS, JOSEPH H. JOHNSON AND THEIR FAMILIES FOR CITIZENSHIP IN THE  
CREEK TRIBE OF INDIANS.

United States of America )  
Indian Territory ) SS  
Northern District. )

Personally appeared before me the  
undersigned authority, Barnd Debois, to me well known, who being  
by me first duly sworn, upon his oath says as follows:-

I am 53  
years of age. My Post Office is Muscogee Ind. Ter. I am a citi-  
zen of the Creek Nation by blood. I know the claimants in this  
case, viz. Lucy Johnson, James Johnson, and Joseph H. Johnson.

They lived near where I was raised in Alabama, and I know  
them to be Creek Indians by blood. In the year 1880 I was Clerk  
of the Citizenship Committee at Okmulgee, that was created by  
the Creek Council, and empowered with authority to admit persons  
as citizens of the Creek Tribe. Hon. William Roberson was the  
Chairman of said Committee. James Johnson, one of the above  
named claimants, came before said Committee and made proof of his  
right to citizenship and that of his family, and his brother  
Joseph H. Johnson, and his family, and their mother Lucy John-  
son. And I as Clerk and by order of said Committee enrolled them  
as Creek Citizens and members of Ketchoparta Town, and enrolled  
the following names:- Lucy Johnson, James Johnson, Mary Lucy  
Johnson, Eugene Johnson, Joseph Johnson, George B. Johnson, Wilder  
Kate Johnson, Lilly Erin Johnson, Eugene Parnella Johnson, Cary  
S. Johnson, and Judson B. Johnson. I learned from some of the  
Council members that a Committee some two years since struck the  
above names from the Creek Roll for what reason I do not know.  
I know they were legally admitted and enrolled as above set  
forth, and should have been left on said Rolls.

I am in no wise interested in the prosecution of this ~~anti~~ claim, and am not related to the claimants. I know the facts stated in this affidavit from my official connection with the case as above stated.

Barnes

Sworn to and subscribed before me this August 3, 1896.

N. A. Gibson

Notary Public.

IN THE MATTER OF THE APPLICATION OF LUCY JOHNSON ET AL FOR  
CITIZENSHIP IN THE CREEK NATION.

Personally appeared before me William Robison, to me  
well known and known to me to be the person he represents himself  
to be and being by me first duly sworn upon his oath says as  
follows:-

My ~~name~~ age is 64 years . My Post Office is Wagoner  
Census Roll  
I. T. In the year 1890 I was Chairman of the ~~Citizenship~~ Committ-  
ee at Okmulgee Ind. Ter that was created by act of the Creek Coun-  
cil and empowered with authority to admit all persons who were  
entitled to be enrolled as citizens of the Creek Tribe? "Barent  
DuBois was the clerk of said Committee. James Johnson, one  
of the above named claimants came before said Committee and made  
proof of his right to citizenship and that of his family, and  
his Brother Joseph H. Johnson and his family, and I ordered the  
clerk to enroll them as Creek citizens and members of Ketchoparta  
Town, and he enrolled the following names :-Lucy Johnson, James  
Johnson, Mary Lucy Johnson, Eugene Johnson, Joseph Johnson,  
George B. Johnson, Mildred Kate Johnson, Lillie Erin Johnson,  
Eugena Pernella Johnson, Cary S. Johnson, and Judson B. Johnson,  
Afterwards during the payment of the \$29.00 per capita by  
auhtority of said Johnsons I drew their money for them and receipt  
ed the Rolls therefor. They are Creek Indians by blood and should  
never have been stricken from our Rolls, as they were legally ad-  
mitted and should have been left on said Rolls.

I am a Creek Indian by blood and have served in the  
House of Kings several times, and have held a number of important  
offices in my Nation. I speak and write English fluently.

I know that the Creek Nation was not imposed upon when Mrs. Lucy Johnson, her two sons and their families were admitted to citizenship in our Nation

M. Gibson

Sworn to and subscribed before me this 15th., day of August  
A. D. 1896.

N. A. Gibson  
Notary Public.

No 6-90  
In the application;  
Lucy Johnson  
James Johnson  
Jas E Johnson El el.  
For the installation of  
Citizenship in the arch  
National . . .

Filed Sept 2-1894  
A S McKinnon  
Clerk

Replied

W. H. Brown  
City of . . .



540

Personally appeared before me the undersigned, a Notary Public in and for the Northern District of the Indian Territory, W. F. Seaver, who being by me first duly sworn, upon his oath says that he did on the 28<sup>th</sup> day of August, 1896, deposit in the United States Post Office at Okmulgee, Indian Territory, a sealed envelope containing true and correct copies of the Petition and Evidence in the case of Lucy Johnson et al. for citizenship in the Creek nation of Indians, addressed to Esparhecher, Chief of the Creek Nation, at Okmulgee, with lawful postage paid thereon, and that said Office is where the said Chief gets his mail.

Sworn to and subscribed before me this the 3 day of September 1896.

N. A. Gibson  
Notary Public for the Indian Territory

Before the Dawes Commission, Vinita, Indian Territory.

James Johnson, :  
Joseph W. Johnson, :-----Plaintiffs.  
and Lucy Johnson, :

VS. ( Answer.

The Creek Nation,-----Defendant.

The defendant says: That all of the above named applicants are residents and citizens of the State of Alabama and that neither they nor their ancestors ever lived within the jurisdictional limits of the Nation; that they voluntarily severed themselves from their connection with the tribe and have for several generations have lived and identified themselves with the Whites, inter-married with them and become citizens of the United States; and have never cared nor do they now desire to become residents of this Nation but have alienated themselves therefrom.

That if the National Council admitted them to citizenship in 1890 it was done in ignorance of the facts, by fraud and the authorities ~~and~~ of this Nation had the lawful right to expunge their names from the rolls.

Wherefore the defendant says the facts stated by the application are not sufficient to entitle them to citizenship in this Nation or to any of the privileges thereof.

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bessie McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bessie McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896.

*Notary Public for Indian Territory*  
*My Comm. exp. Oct-10<sup>th</sup> 1900* *John H. Rogers Secy*

[illegible]

1. The first step is to identify the problem or goal. This involves understanding the current situation, identifying the problem, and setting a clear goal.

Look upon

[illegible]

POOR ORIGINAL -  
BEST AVAILABLE COPY

In the Matter of the Claim of James Johnson, Joseph W.  
Johnson and Lucy Johnson et al, Applicants for Citizenship in the  
Creek Nation.  
-----

Personally appeared before me the undersigned authority,  
Geo. W. Tiger to me well known and deposes and says:

That he is        years of age, that he is a citizen of the  
Muskogee Nation by blood - a Full blood Creek; that he has held  
several offices of honor and trust in his Nation, and has been  
Town King of his, the Kiche-par-tar-ke Town; that he was Town  
King at the time when one of the said applicants, to wit: James  
Johnson, made application for himself and others to be enrolled  
as members of his Town; He produced no evidence before me in  
support of his citizenship, but I enrolled his name and several  
others who he said were his folks, on my Town rolls because some  
members of my town who had been influenced by interested parties  
told me to enroll them. My roll went before Council for approval  
which roll was referred to a committee of which Col. Wm. Robinson  
was chairman and who was also an attorney for these applicants,  
and who drew their per capita money of \$25.00 each, which money  
was distributed between himself and other attorneys for their  
services, and not a dollar of it ever reached these applicants.  
These facts became known to council and the names of these ap-  
plicants were stricken off the roll. Affiant further says that none  
of these applicants have ever lived in this Nation and that he never  
saw any of them except the said James Johnson at the time before  
stated.

Geo. W. Tiger.

Sworn to and subscribed before me this 22nd day of Sept. 1896,

T. W. Callahan.

**End**



1896  
CR 77

1896  
CR 77

NEXT  
IMAGE  
GLUED

No. 8268

Maggie Jones.

Maggie Jones

Cruc. Nation.

Filed 9 Sept 1896  
H.M. Freoway  
clerk

Nelson Lieber  
Allen  
Mudeoqu  
J.T.

(Cheatek I. V. Feb 7<sup>th</sup> 1896

Received this day of Maggie Jones  
for Nelson & Lister her attorneys copy  
of application and evidence in case  
of Maggie Jones et al for  
citizenship in the Creek Nation

Ruby McIntosh  
Acty in Chief Muscogee Nation

B.  
J. Callahan

To the Honorable Dames Commission

The application of Maggie Jones formerly McQueen, Matilda Newman formerly McQueen, Betta Franklin formerly McQueen and David McQueen, and Kate and Rudolph Jones minor children of the said Maggie Jones, ~~respect~~ ~~fully~~ and Edward Anderson son of Hager Anderson deceased formerly Hager McQueen, ~~respect~~ ~~fully~~ shows:

That they are respectively children and grand-children of Ketch McQueen who was a person of African descent a slave of Jim McQueen who was a citizen of the Creek Nation by blood.

They state further that Ketch McQueen their father and grand-father, resided in the Creek Nation prior to the late war as a slave, as did their father and mother of said Ketch McQueen, whose names were Abram<sup>Kernal</sup> and Hager<sup>Kernal</sup> McQueen. The said Hager McQueen always resided in the Creek Nation from the time she was brought from Alabama prior to the war.



until her death in the Creek  
Nation in about the year 1874.

Ketch McQueen and his children  
The applicants came to the Creek  
Nation by invitation of Creek Citizens  
who represented that they were entitled  
to citizenship in the year 1880, and  
were permitted to reside and settle  
and build homes in the Creek Nation  
under an act of Council, and  
have been permitted to remain since  
that time without interruption and  
without objection or payment of  
taxes, and enjoyed all rights except  
to share in the moneys.

They state further that the daughter  
of ~~Reuben~~<sup>Reuben</sup> and ~~Hager~~<sup>Hager</sup> McQueen  
and the full sister of the said  
Ketch McQueen, by name Cilla  
Franklin, formerly Cilla McQueen,  
is now regularly enrolled as a  
citizen of the Creek Nation, and  
all her children; and two other  
sisters now dead, by name Zemar  
Franklin and Judy Davis were also  
enrolled and fully recognized  
as citizens and their children.

And they state further

that the said Hetch McQueen resided  
in the Creek Nation prior to the war  
as a slave, and got out during  
the war or shortly afterwards  
and did not return <sup>until</sup> in 1880 as  
aforesaid. And these applicants  
believe this absence was the cause  
of their not having been  
fully enrolled.

These applicants have all resided  
continuously in the Creek Nation  
and now reside therein, since they  
came here.

They base their claim upon the  
fact that they are descendants of  
persons of African descent who enjoyed  
the rights of citizens under the  
Treaty of 1866 Art II (p 198 Cr. &  
1893)

Whereupon they pray that they may be  
enrolled as citizens.

Witness:

J. D. Jones

her  
Matilda Newman  
Maggie <sup>Neuf</sup> Jones  
mark

Sown and subscribed to by Matilda  
Newman and Maggie Jones this 4<sup>th</sup> day  
of September 1896. John L. Fisher  
Notary Public.

Before the undersigned authority  
personally appeared Phillis Sango  
and made oath in due form of  
law as follows to wit;

That she is about 80 years  
old and came here with the  
Indians from Hobema.

That she was a slave and knew  
Abram<sup>Kernal</sup> and Hager<sup>Kernal</sup> McQueen who  
were slaves in the Creek Nation and  
of African descent. That said  
Hager McQueen never left the Creek  
Nation from the time she emigrated  
to the Creek Nation from Hobema  
long prior to the war, until her  
death in 1874. That she also  
knew Ketch McQueen who was  
of African descent and the son  
of Abram<sup>Kernal</sup> and Hager<sup>Kernal</sup> McQueen,  
but she knows that said Ketch  
McQueen resided in the Creek Nation  
prior to the war of 1860-5, and  
that he returned to said Creek Nation  
by invitation and was allowed  
all the privileges of citizens except  
the right to share in money until  
his death some 16 or 18 years after the war.

and that his children applicants  
for citizenship have always  
resided in the Nation since they  
came and have been accorded  
equal privileges. And she knows  
that the sisters of Ketch McQueen  
(of the whole blood) who were left in  
the Nation were duly enrolled  
and recognized as Creek Citizens.  
This affiant states further that  
she is a niece of Ketch McQueen, as  
another mother Rose McQueen  
was a full sister of Ketch  
McQueen and enrolled as a  
full citizen of the Creek Nation.  
And this affiant is also enrolled,  
and a pensioner of the Indigent  
fund of said Nation.

witness.

Alice Sims.

Phyllis <sup>for</sup> Sango  
mark

Sworn and subscribed to before  
me this 4<sup>th</sup> day of Sept 1896  
H. St. Sango,  
Notary Public.



Before the undersigned authority personally appeared John Kernal and made oath in due form of law as follows to wit:

That he is about 62 years old and came to Creek Nation with the Indians from Alabama. That he was a slave and knew Abram Kernal and Hager Kernal formerly Mr. Queen who were slaves in the Creek Nation and of African decent, that said Hager Mr. Queen never left the Creek Nation from the time she emigrated to the Creek Nation from Alabama long prior to the war, until her death in 1874. That he also knew Nitch Mr. Queen who was of African decent and the son of the said Abram and Hager Kernal nee Mr. Queen and he knows that said Nitch Mr. Queen resided in the Creek Nation prior to the war of 1860-5 and that he returned to said Creek Nation by invitation of the Creek Authorities and were allowed all the privileges of a citizen except the right to share in moneys until his death some 14 or 15 years after the war. And that his children applicants for citizenship have always resided in the Nation since they came and have been accorded equal

Notary Public.



<sup>except to share money</sup>  
Privileges. And he knows ~~that~~ the sisters  
of Kitch M<sup>c</sup>Queen (of the whole blood) who  
never left the Nation and were duly enrolled  
and recognized as Creek Citizens. This  
affiant <sup>states further</sup> that he is a citizen of the Creek  
Nation and has held the Office of Dist  
Judge for a period of six years and months  
John A. Smith

witness.

J. C. E. saw

Subscribed and sworn before  
me this 5<sup>th</sup> of Sept. 1896.

H. Est. Augs.

Notary Public.

My Commission expires Dec. 31, 1897.

Before the Dawes Commission, Vinita Indian Territory.

Maggie Jones formerly :  
McQueen, Fattie Franklin :  
formerly McQueen, David :  
McQueen, Kate and Rudolph : Persons of African descent---plaintiffs.  
Jones, minor children of :  
said Maggie Jones, Edward :  
Anderson son of Hagar :  
McQueen, deceased. :

VS. ( Petition to be enrolled as citizens.

The Creek Nation, :----- Defendant.

-----:-----

( Comes the said defendant and for answer denies that the said petitioners were at and before the making of the Treaty of 1866 under the laws and usages of this defendant or that they or any of them returned to this country within one year from the ratification of said Treaty.

2 They deny that the said petitioner or any of them were ever permitted to settle within the limits of the jurisdiction of this Nation as citizens thereof.

3 Defendant denies that they ~~settled in the Creek Nation~~ or any of them were ever permitted by Act of Council in 1880 or at any other time to reside and settle in and build homes in the Creek Nation or that they enjoyed all the rights except to draw money.

4 Defendant denies that the daughter of Abram and Hagar McQueen and the parties in their said complaint mentioned were enrolled and fully recognized as citizens.

5 Defendant denies that the petitioner or any of them are entitled to citizenship in the Creek Nation under the provisions of the 2nd. Article of the Treaty of 1866, on the contrary they show by their allegations in their petition that they do not come ~~within~~ within any of the conditions required by said Section.

*in the Creek Nation under the provisions of the 2nd. Article of the Treaty of 1866, on the contrary they show by their allegations in their petition that they do not come within any of the conditions required by said Section.*

107

al,  
v.

The Clerk of the Court

Answer

FILED 1896  
A. C. HARRIS,  
CLERK

RECEIVED  
JAN 18 1896  
U. S. DISTRICT COURT  
SOUTHERD DISTRICT OF NEW YORK

S. P. Callahan,  
Runny McIntosh,  
Ben T. DuVal,  
Attorneys for defendant.

*He is the* says he believes the matters and things set  
forth in the foregoing answer to be true.

Bennie McIntosh

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896  
*at the place where he lives*  
John W. [illegible]  
*Notary Public*

*My commission expires [illegible]*

**End**



1896  
CR 78

1896  
CR 78

APPLICATION FOR CITIZENSHIP.

To The Honorable National Council of Muscogee Nation, Ind. Ter.

Gentlemen:—The undersigned, your petitioner, this day makes this his Application for Citizenship in the Muscogee Nation, in the Indian Territory, in accordance with the Constitution and laws of said Nation, and respectfully makes the following statement of the grounds of this his Application to-wit:

That his Wife Jessie Byers is the of one who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his Application for Citizenship by blood, and respectfully waits the time when his Application shall be truly heard and tried, Respectfully submitted.

Age 31 years, Postoffice Adams Miss Family, with their relationship attached as follows:

| No. | NAME.                    | SEX.        | RELATIONSHIP.   |
|-----|--------------------------|-------------|-----------------|
| 1   | <u>J. W. James</u>       | <u>male</u> |                 |
| 2   | <u>Patrick James Jr.</u> | <u>"</u>    | <u>Son</u>      |
| 3   | <u>Henry James</u>       | <u>male</u> | <u>Daughter</u> |
| 4   | <u>Jess James</u>        | <u>"</u>    | <u>"</u>        |
| 5   | <u>Chapman James</u>     | <u>boy</u>  | <u>son</u>      |

In witness of which Application, I hereunto set my hand, on this the 5<sup>th</sup> day of January 1894  
Subscribed and sworn to before me this 5<sup>th</sup> day of January 1894  
Joseph P. Byers, Attorney at law J. B. Penter J. E. Allen J. P.

AFFIDAVIT OF WITNESS.

STATE OF Mississippi } ss.  
COUNTY OF Greene

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared W H Henderson who after being by me duly sworn states that he is 22 years of age, and is a citizen of Greene County and State of Mississippi and that he is personally acquainted with Mr S W James Who is an applicant for citizenship in the Choctaw Nation, I. T., and affiant further states that the said S W James is the identical person he represents him self to be in his application for citizenship in said Nation and that the said S W James is The Husband of Samuel James

Affiant further states that he has known the said S. W. James & Wife Samuel for the past 18 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Indian blood, and that the complexion and physical appearance of the said Samuel James indicate that the said Samuel James is of Indian blood. That from the above facts and circumstances and from statements made to me by the said S W James Affiant states he has every reason to believe that the said Samuel is of Choctaw Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said S W James to citizenship in the Choctaw Nation, I. T.

W H Henderson

Subscribed and sworn to before me this 5 day of January A. D., 1894 and I further certify that I am well acquainted with the said S W James and know him to be a person of credibility and of truth and veracity.

J B. Peaster Notary Public.

My Commission Expires on First day of January 1896.

Joseph P. Byers, Attorney at Law.

◆TEMPO JOB PRINT, FT. SMITH◆

## AFFIDAVIT OF WITNESS.

STATE OF Mississippi } ss.  
COUNTY OF Greene

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Jesse Byrd who after being by me duly sworn states that he is 45 years of age, and is a citizen of Greene County and State of Mississippi and that he is personally acquainted with S. W. James, Husband of Laura James Who is an applicant for citizenship in the Muscogee Nation, I. T., and affiant further states that the said S. W. James is the identical person he represents him self to be in said application for citizenship in said Nation and that the said S. W. James is The Husband of Laura James

Affiant further states that he has known the said Laura James for the past 30 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Indian blood, and that the complexion and physical appearance of the said Laura James indicate that the said Laura James is of Indian blood. That from the above facts and circumstances and from statements made to him by the said S. W. James Affiant states he has every reason to believe that the said Laura James is of Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said S. W. James to citizenship in the Muscogee Nation, I. T.

Jesse Byrd

Subscribed and sworn to before me this 6 day of January A. D., 1894 and I further certify that I am well acquainted with the said S. W. James and know him to be a person of credibility and of truth and veracity.

E. B. Foster Notary Public.

My Commission Expires on 1st day of January 1895  
Joseph P. Byers, Attorney at Law.

◆TEMPO JOB PRINT, FT. SMITH.◆



6298 78  
James

FILED SEPT. 8 1871

A. S. MCKENNON

COM

Creek Hill

W. James

James

Miss

Respected

AFTER 10 DAYS RETURN TO  
JOSEPH P. BYERS,  
ATTORNEY AT LAW

PORT SMITH, ARK.

PRACTISED IN THE FEDERAL AND STATE COURTS, AND  
ALL COURTS IN THE INDIAN TERRITORY



**End**

1896  
CR 79

When this registered letter or parcel accompanying this card is delivered, the recipient  
 will require signature in the receipt on the other side, and on the receipt of registered mail,  
 return and mail this card without cover to address below.  
 A penalty of \$2500 is fixed by law for using this card for other than official business.

**Post Office Department.**  
 OFFICIAL BUSINESS. Post Office at

RETURN TO:

Name of Sender *E. Calkins*

Street and Number  
 or Post Office Box *101*

Post Office at *Indianapolis*

State *Ind.*

**REGISTRY RECEIPT.**

Post Office at *Indianapolis Ind*

Registered Letter } No. *5-7* Rec'd. *Aug 24 1896*  
 Parcel }

of *E. Calkins*

addressed to *Sparchacher Principal Chief*  
*Okmulgee Ind*

*A. H. McWhorter*

POSTOFFICE RETURN RECEIPT sent *Sept 26, 1896*

Reg. No. *57* from Post Office at *Thytsy 57*

Reg. Letter Addressed to *Spencer & Co. 57*  
Reg. Parcel *Spencer & Co. 57*

When obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED "LETTER. PARCEL."

NAME OF OTHER SIDE *Spencer & Co.*  
958  
419  
When delivery is made to other than addressee, the nature of loss covered and returned must be stated.

10. 10. 1971

Stan Kishie



southern District African Union

My name is John and my age is 08 years.

Said Assistant further states that in making

He was married to Elizabeth Yarger a Creek Indian he lived between 1850 nearly 18 years ago and resided in the Creek Nation with his said wife since said date,

That said affiant brought with him the proceeds of the sale of this land in Kansas and started an improvement on vacant public domain in the Crier's Nation, That he invested all this means in building on his present farm house now occupied by him for the last 16 years,

That I have not under cultivation his estate

farm of 160 acres, and devoted all his time  
and labor and singular means to the  
improvement of his home,

That no children have been born to said marital  
union. And under the practice of the  
Creek Courts at the decease of his said  
wife said land together with the labor  
earnings of 18 years, will revert to the heirs  
of his said wife Elizabeth. And all rights  
and privileges now enjoyed by said affiant  
will be taken by virtue of Creek law from  
him, in relation to said land and all improvements  
thereon. And from the date of the decease  
of his said wife should he survive her, he  
will be an intruder under the Creek law,  
as justice makes known that he has made  
application since he has been a resident  
of the Creek Nation to take Government land  
under the homestead law and was refused  
admission into the list to take land on account  
of making known to the authorities under the  
Government, that the Secretary of the Interior ruled  
that a Citizen married into the Indian Nations  
of the free time, was deposed from his  
Government land as a homestead  
wherefore your Petitioner is deposed from being  
a Citizen of the United States or the Creek  
Nation, so far as the rights of enjoying a  
homestead right is concerned.

And I ask that said right under the  
said law be investigated and wherein  
said law is in conflict with the  
treaty of the United States, that in as much as  
said statute, I am that by virtue of the  
facts herein set forth in an Island an adopted  
Citizen of said Creek Nation of Indians.

John Jack

I subscribed and sworn to before me by  
John Jack after I had carefully read in  
his presence and hearing the contents of the foregoing  
affidavit and in having a knowledge of the same  
I subscribed my hand this 15th day of August 1896.

E. Carstairs

Notary Public

Commission Expires April 25, 1898.

United States of America  
Northern District, Indian Territory.

Personally appear & depose and  
testify before me and for the Northern District  
Indian Territory. Adolphus D. Drentschke who being  
lawfully sworn according to the laws of the United States  
My name is Adolphus D. Drentschke, my age is 30  
years, My last place of residence is Indian Territory,  
I have been a Citizen of the United States for the last  
27 years, I have never been married, I have never  
been acquainted with John Jack for the last 10 years  
which time he was married to Elizabeth Brown a Creek  
Indian woman, I had lived with her on a  
farm that he has since sold, improved near  
Red Rock since their said marriage,  
John Jack has always <sup>been</sup> considered an adopted  
Citizen in the Indian Nation of Oklahoma and  
has never been away from the Nation to  
live since he established his residence here at  
his said marriage.

Adolphus D. Drentschke  
I appeared and sworn to before me this 21<sup>st</sup> day  
of August 1892, of the said Adolphus D. Drentschke  
J. J. Jenkins

Notary Public  
my Commission Expires April 1893

No 46-9  
John Jack,  
v.  
Lucy Watson

Filed, Sept. 3, 1896.  
H. W. January  
Sunday

Rejection

E. L. Lewis,  
Tulsa  
D. S.



Copy of Certificate of Marriage  
this is to certify that John and  
Elizabeth are lawfully married  
this the 15 day of Feb 1891.  
J W Pughman

I certify the above and foregoing is a  
true copy of the Certificate of Marriage  
given by J W Pughman a Clerk Indian  
Citizen.

E. P. Perkins  
Notary Public

CHINA RECORDS

CHINA RECORDS

CHINA RECORDS

CHINA RECORDS

1

CHINA RECORDS

done exp 20/70<sup>th</sup>, 2000

**End**

1896  
CR 80



THE GLOBE LEGAL WRAPPER, Patented Feb. 11, 1890. SIZE No. 1.  
DIRECTIONS.—Elevate the metal points—attach the manuscript—then bend the points down flat—unpeel the gummed flap and stick it down—this fastens the papers and hides the metal.

In consideration of the services rendered and to be rendered to me by James H. Mechem of Pueblo, in the state of Colorado, and Josiah M. Vale, of the City of Washington, in the District of Columbia, Attorneys and Counsellors at Law, in the matter of the recognition of my citizenship of the Muscogee or Creek Nation of Indians and in preparing and presenting to the Five Civilized Tribes Commission my application to be recognized and enrolled as a citizen of said Muscogee or Creek Nation of Indians, I hereby, for myself my heirs and assigns admit said James H. Mechem and Josiah M. Vale to a full and equal partnership with me in all moneys, credits, rights, privileges, benefits and easements which do now or which may hereafter enure to me by reason of my citizenship of the Muscogee or Creek Nation at this time or at the time I shall be recognized as such citizen, and to a partnership in whatever interest in common I may have now or acquire by reason of my recognition as a citizen of said Muscogee or Creek Nation of Indians with all the citizens of said Nation of Indians and to a partnership with me in all moneys, credits, rights, benefits, annuities, privileges and easements which may accrue or enure to me by reason of my citizenship of said Nation of Indians for and during a period of twenty years or to my heirs during that period from the date hereof, except the rights incident to a personal participation in the management of the affairs of said Nation or to reside within the limits of said Nation, the said partnership interest of said Mechem and said Vale being an equal one-half with me, that one-half of all moneys, annuities, rights, easements and privileges as above set forth shall be deliverable to and belong to said Mechem and said Vale and one-half to me as above set forth the said Mechem and said Vale taking one

undivided half of the whole matter or thing to which I am or shall become entitled during the period herein named I to take the other half, I hereby agreeing to execute any power of attorney necessary to authorize said Vale and said Mechem or either of them to represent me and collect receive from and receipt to the said Muscogee or Creek Nation for whatever moneys annuities, lands, easements or other things that shall be set out in severally to me for and during the period named herein or which shall belong to said Nation in which I have a right in common with other citizens of said Nation at any time accruing during said period of twenty years from the date of the execution of this agreement or which has heretofore accrued.

In testimony whereof I have hereunto set my hand and seal this 4<sup>th</sup> day of September A. D. 1896.

*Julia Jenkins*

Two Witnesses.

*James A. Park*  
*James A. Park*

State of Colorado

County of *Pueblo*

I, *James A. Park* a Notary Public in and/or said County of *Pueblo* and state of Colorado do hereby certify that *Julia Jenkins* who subscribed and executed the foregoing contract personally appeared before in *the city of Pueblo* in the County of *Pueblo* and state of Colorado and after having said contract read over to her and fully explained, acknowledged that she executed the same

and wished not to retract it, and I further certify that the  
said *Julia Jenkins* is personally known to  
me to be the identical person who signed and executed said  
contract.

Given under my hand and seal this *4th* day  
of *September* A. D. 1896.

*My Commissioner Expires Oct. 16, 1897.*  
*James A. Park*  
Notary Public

2791  
Julia Jenkins  
v

Her Nations

FILED SEP 22 1891  
A. S. LEE NON  
COM R

Rejected

James H. Maclean  
Pueblo Colo



APPLICATION FOR RECOGNITION OF CITIZENSHIP  
BY THE MUSCOGEE OR CREEK NATION.

To

Hon. Henry L. Dawes,  
Chairman Five Civilized Tribes Commission,  
Vinita, Indian Territory.

Dear Sir :

I hereby apply to be recognized as a citizen of the  
Muscogee or Creek Nation of Indians and to be duly enrolled as such  
under and in accordance with the laws, customs and usages of said  
Nation and in accordance with the laws of the United States.

The particular grounds upon which I base my claim to citizen-  
ship of the said Muscogee or Creek Nation of Indians are as follows :

My maiden name was Julia Wells. I was born on the 18th day  
of July, 1872, at Elizaville, in the State of Kentucky. My father's  
name was Wiley Wells and my mother's maiden name was Clearsey Fife,  
and it is through her I claim recognition as a citizen of the Muscogee  
Nation of Indians. She was the daughter of Harry Fife and Mahala  
Fife. My mother's parents lived in Muscogee until the spring of 1885  
when they moved to Larned, Kansas, and I think they both died at the  
latter place. My mother was born at Muscogee, Indian Territory, and  
remained there until the early part of 1872 when with my father she  
moved to Elizaville, Kentucky, and died when I was five months and  
five days old. When I was seven years old with my father I moved back  
to Muscogee, Indian Territory, and remained there until I was thirteen  
years old when I moved to Kansas, and from the latter State I moved to  
Pueblo, Colorado, and on the 21st day of July, 1895, was married, at



-:2:-

Pueblo, Colorado, to Harlen Jenkins, my present husband, who is a citizen of the United States and twenty-eight years of age; since which said time we have continued to live in Pueblo, Colorado. I have never been married before and have no children. My mother had two brothers, John and Thomas, and two sisters, Lucy and Sarah Fife. I am unable to say whether they are now living or where their address is.

*Lula Fife*

State of Colorado,

County of *Pueblo*

*Julia Jenkins*

being duly sworn

do state on oath that I have had read to me and that I fully understand the foregoing application to be recognized as a citizen of the Muscogee or Creek Nation; that the particular grounds upon which I have made my application, as set forth in said application, are true to the best of my knowledge and belief; and that I am entitled to be recognized as a citizen of the Creek or Muscogee Nation accordingly.

Two Witnesses: *John A. Parker*

*Julia Jenkins*

*James H. Meek*

Subscribed and sworn to before me this *10th* day of *Sept.* 1896.  
County of *Pueblo* - State of Colorado

*James A. Park*  
Notary Public

State of Colorado,

County of *Pueblo*

I, *James H. Meek*, do state on oath that I deposited in the United States mail at *Pueblo* in the State of Colorado, on the *10th* day of *September* 1896 a true and exact copy of the application of *Julia Jenkins* to be recognized as a citizen of the Muscogee or Creek Nation of Indians hereto attached, enclosed in a sealed and registered envelope addressed to Hon. *Isparache*, Principal Chief of the Muscogee or Creek Nation at Okmulgee, Indian Territory, and that the Post Office registry receipt thereon is as follows:

*James H. Meek*

subscribed and sworn to before me, a Notary Public in and for  
the County of Pueblo and State of Colorado, this  
7th day of September A. D. 1896.

*My commission expires October 16, 1897.*

*James A. Park*

Notary Public.

CERTIFICATE OF MAGISTRACY.

|  |   |
|--|---|
| STATE OF COLORADO, } ss.<br>COUNTY OF PUEBLO.  | I, J. M. MEALES, County Clerk and Recorder in and for said County, in the State |
| aforesaid, Do HEREBY CERTIFY that  | <i>James A. Park</i>  |
| whose name is subscribed to the Certificate of Acknowledgment of the annexed instrument, and thereon written, was at the time  | <i>Notary Public</i>  |
| of taking such proof or acknowledgment, a  |   |
| in and for the said County of Pueblo, duly Commissioned, sworn and acting as such, and duly authorized and qualified to take the acknowledgments of deeds, administration of oaths, etc., for lands, tenements and hereditaments in said State, and his commission and authority to act are recorded in my office, <b>IT BEING THE ONLY OFFICE IN WHICH SUCH RECORD IS MADE.</b> And further, that I am well acquainted with his handwriting, and verily believe the signature to the said proof or acknowledgment is genuine, and that said instrument is executed and acknowledged according to the laws of the State of Colorado. |   |
| IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Pueblo, in said County, this <u>5th</u> day of <u>Sept</u> A. D. 189 <u>6</u>  |   |
| <i>Expires Oct 16th 1897</i> <i>J. Meales</i><br>County Clerk and Recorder.  |   |

*Pueblo*  
*11th*  
*Sept 11 1884*  
*11th*  
*11th*  
*11th*

CERTIFICATE OF MAGISTRACY.  
STATE OF COLORADO, 1884.  
COUNTY OF PUEBLO, 1884.

*1123*  
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STATE OF COLORADO, ( )  
COUNTY OF PUEBLO. ( )

Robert Wallace, of lawful age, being first duly sworn, deposes and says : That he is a resident and citizen of said County and State. That he is now, and has been for a number of years last past personally acquainted with Mrs. Julia Jenkins, the same person who has made application for recognition for citizenship by the Muscogee or Creek Nation. That he was personally acquainted with her for a period of at least five years while she was a resident of Muscogee, Indian Territory. That he was personally acquainted with her father, and her grand-parents on her mother's side and knows that she is the daughter of Wiley Wells and Clearsey Wells. That he is personally acquainted with Harry Fife and Mahala Fife and knows that Clearsey Wells, the mother of said Julia Jenkins, was reputed to be the daughter of Harry and Mahala Fife.

Affiant further states that he knows that said Harry Fife and Mahala Fife were members of the Muscogee or Creek Nation of Indians, and that it was always currently reported that Julia Wells, the present applicant, was part Indian.

I am 29 years of age, and lived for a number of years at Muscogee. I am not related to Julia Jenkins either by blood or marriage, and have no interest whatever in said application.

*Witness*  
*Wm. M. Meehan*  
*Julia Jenkins*

*Robert Wallace*  
\_\_\_\_\_

Subscribed and sworn to before me this 4th day of September, 1896.

My commission expires *Oct. 16, 1897*

*James A. Park*  
\_\_\_\_\_  
Notary Public.



Before the Dawes Commission, Vinita, Indian Territory.

Julia Jenkins,-----Plaintiff.

VS. ( Answer.

The Creek Nation,-----Defendant.

The defendant says: That the facts set forth in the application of said plaintiff ~~are~~ if true, do not show that the applicant is entitled to citizenship in this Creek Nation.

It does not show that she is of Muskogee descent not farther removed than the fourth degree.

It does not show that she was born outside of the limits of this Nation and has never been recognized as a member of this Nation by the authorities thereof.

And that she now resides in Pueblo, Colorado and this defendant says it appears upon the face of her said application that she is not entitled to citizenship in this Nation and her application should be dismissed.

S. B. Callahan,

Rummy McIntosh,  
Attorneys for defendant.

*Burnin McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Burnin McIntosh*

Sworn to and subscribed before me this 22 day of Oct 1896.

*Witness my hand and private seal here in my official capacity as a Notary Public for the State of Oklahoma.*

*Wm. H. Jones*

Wm. Lloyd Garrison, Jr. 1840

Wm. Lloyd Garrison, Jr.  
Boston, Mass.

Dear Sir,

I have the honor to acknowledge

the receipt of your letter of the 10th inst. in relation to the  
publication of the "Liberator" in the city of New York.

I am sorry to hear that you are

unable to do so, but I am sure that you will find it

impossible to do so, and I am sure that you will find it

impossible to do so, and I am sure that you will find it

impossible to do so, and I am sure that you will find it

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impossible to do so, and I am sure that you will find it

impossible to do so, and I am sure that you will find it

**End**

1896  
CR 81

1896  
CR 81

No. 81

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Mary Catherine Kiefer

VS.

*John*

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED JUN 10 1891



RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of  
..... vs. .... Nation, as follows:

WITNESS my hand and official seal at *Wash D.C.*  
this the *26<sup>th</sup>* day of *January* 189*4*  
*Jas. A. Winston*  
*Clerk.*

No. 81

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Mary Catherine Kiger*

VS.

*Conc.*

Nation.

Received and filed this

day of

189.

Secretary.

SEVATOR JOHN POINT FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of

vs.

Nation, as follows:

WITNESS my hand and official seal at

this the 27<sup>th</sup> day of

189<sup>2</sup>

Washington  
D.C.  
Jas. A. Winston  
Clerk

No. 81

RECEIPT

FOR ORIGINAL PAPERS, IN THE CASE OF

Mary C. Keifer, Et Al

VS.

Chas

Nation.

Received and filed this

day of

189

Secretary.

REVISOR JOE HUNT FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of  
..... vs. .... Nation, as follows:

WITNESS my hand and official seal at *W. C. C. C.*  
this the *26* day of *January* 189*7*  
*Jas. A. Winston*  
*Clerk*



No 81

Mary i. Hoife, Et al,

Grat. vs.

~~St. Louis~~ Nation

Appeal, Order,  
U.S. Court

## NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

In the United States Court for said District.  
In the matter of the application of  
Mary C Keifer et al to be  
enrolled as citizens of the Muskogee Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

Mary C Kiefer et al

to be enrolled as citizens of the Muskogee Nation, from said

Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 31st day of  
Dec 1896 A.D. 1896

*William M. Springer* Clerk.

**End**

1896  
CR 82

1896  
CR 82

No 547  
In re application of  
Marshall C Kelly.  
For citizenship in the  
United States &c.

Filed Sept 2-1902  
J S McKinnon  
Clerk

W H Jones  
atty for applicant



Okmulgee I. T. August 25, 1896.

I, C. C. Belcher, Post Master at the above named Office do hereby certify that I have this day received as Post Master for mailing, from W. W. Seaver, Attorney at Law a copy of Petition and evidence in the case of Marshall C. Kelly et al. for citizenship in the Creek Nation, addressed to Asparhecher, Chief of the Creek Nation, at Okmulgee Indian Territory, enclosed in a sealed envelope with lawful postage paid thereon, and that this Office is the place where said Chief gets his mail, and that said envelope and enclosure were deposited in the Mails.

C. C. Belcher  
Post Master aforesaid.

Commission on Citizenship in the Five Civilized Tribes  
in the Indian Territory:

Your petitioner, Marshall, C. Kelly, undersigned, respectfully states that he is a Creek Indian by blood, and asks to be enrolled as a member of the said Creek Nation of Indians in the Indian Territory. That he derives his said Indian blood from One Tobias Kelly, his father, who was a Creek Indian by blood. Said Tobias Kelly was born in Talladega Co. Ala. and grew to manhood there. He was born there also. My father started West about the year of (1842) came as far as Texas and stayed for a number of years, finally came to the Creek Nation in (1872) or (1873) found some of his kin people, was identified and recognized by the Creek Authorities as citizen, but died before moving his family here. He talked the Creek language fluently. He left (3) children, myself (2).  
Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Creek Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Creek Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is about 60 years. My Post Office address is Lanantonica Tex.

My family consists of the following-named persons: My self and children, as follows:  
(1) Marshall C. Kelly (aged 60) (2) R. D. Kelly aged 31 years.  
(3) Allie Kelly English aged 29 years.  
(4) Kate Kelly Irish aged 26 years.  
(5) Crocket Kelly aged 23 years.  
(6) Donie English grand child aged 12 years.  
(7) Gracie English " aged 10 years.  
(8) Bena May English " aged 8 years.  
(9) Lutray Kelly " aged 3 years.  
(10) Lila Smith " aged 11 years.  
(11) Eugene Smith " aged 4 years.

WITNESS my hand this 17 day of Aug, 1896.

Marshall C. Kelly

For the undersigned  
Notary Public

Personally appeared before me, the undersigned authority, Harshen C. Kipley to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Subscribed and sworn to before me at Oklahoma this 17 day of Aug, A.D. 1896.

Harshen C. Kipley  
Notary Public

IN THE MATTER OF THE APPLICATION OF WILLIAM J. KELLY FOR CITIZENSHIP IN THE UNITED STATES OF AMERICA.

Personally appeared WILLIAM J. KELLY, the undersigned, authorized, MARSHALL C. KELLY, who being by me first duly sworn upon his oath says as follows:-

I am 60 years of age. I live in San Antonio, Texas. I am a son of THOMAS KELLY who was a half breed Creek Indian, born in the State of Alabama on the old Creek Reservation. My father was a half uncle on the Creek side of Mrs. F. B. SEVENS, whose maiden name was ANNIE ANDERSON, and who is a Creek citizen by blood, and enrolled on the Creek Rolls, and resides in Muskogee, Indian Territory. My father and myself went to the Indian Territory in 1872 to establish ourselves and live with our tribe. We were at Oklahoma and staid at that time several days. Chief Checotah told us we needed no papers, that we were members of the Creek Tribe, to pick out the place where we desired to live and go ahead as other members of the tribe. We returned home to Texas for the purpose of so doing, when my father took sick and died, leaving me to care for the rest of the family and my own, so that I failed to return. My father had three children, viz:- GREENIE B., MARGARET A., and MARSHALL C. My brother and sister are each dead but leave heirs. I have four children, viz: R. K. KELLY, 31 years of age; he has a son, BERTRAND KELLY, 3 years of age, ANNIE KELLY, now ENGLISH, 20 years of age, she has three children, DONNIE ENGLISH, 12 years of age, GRACE ENGLISH, 10 years of age,

LENA MAY ENGLIS, 8 years of age; KATE TOMLINSON, 18 years of age, and her children, LENA TOMLINSON, 11 years of age, EUGENE TOMLINSON, 4 years of age, by other name is ELIAS C. KELLY, 23 years of age. All of the above named children and grandchildren and are Creek Indians of blood, and relatives of the Anderson family of the Creek Nation. I was in the town of Muskogee, Indian Territory, on the 11th day of August 1896 and met General Pleasant Porter and talked with him, and he recognized me, and remembered my name at Muskogee in 1872, the time the trouble existed between GAMES and GIMCOTTON. I also called on Mrs. J. T. STEWART and talked with her. She stated to me that she had known her half uncle, and that her people and she were of the Creek race.

*Marshall C. Carr*

Subscribed and sworn to before me this 23rd

of August, A.D. 1896.

*J. H. Carr*  
*Beaufort County, Texas*



Eufaula St. Aug. 1<sup>st</sup> 1890.  
 To whom it may concern.  
 Know ye, That I, Elizabeth Mince  
 a Creek Indian of Metchie Town, Ala.  
 has this day personally appeared  
 before me R. L. Jamison a  
 Notary Public in support of  
 Marshall C. Kelly's claim to  
 Citizenship in the Creek Nation,  
 and deposes and says & recognize  
 this man Marshall C. Kelly as  
 the son of Tobias Kelly.  
 Tobias Kelly was a first cousin  
 of mine, as his mother ~~was~~  
 my father's ~~brother~~ and  
 sister and the said Tobias Kelly's  
 mother was a Creek Indian wo-  
 man and Tobias was a half  
 bred Creek Indian as his father  
 was a whiteman.  
 The said Tobias ~~came~~ came here  
 to the Creek Nation about the time  
 Old Sands was causing so much  
 trouble here among the Creeks, &  
 don't remember the date but that  
 was the time when he was here.  
 Our people knew him when he  
 came and was very anxious to  
 have him move his family out <sup>of the country</sup>.



and made  
him promise to do so. When he  
went back after his family he  
took one of our Cousins (Lock Kae-  
lat) son home with him. But  
Tobias Kelly sickened and died soon  
after he went back, consequently  
his family never moved out  
here at all. He had one of his  
sons with him when he was  
here, and I recognize this man  
Marshall C. Kelly as being the same  
man that was here with <sup>him</sup> Tobias  
Kelly. I know that Tobias Kelly  
was a Creek Indian and talked  
the Creek Language fluently.  
He selected a place to make his  
home, but never moved to it.  
The boy he took home with him  
is known as Robert Kelly.

My name is Tussekiah Mices and  
I am a member of Arbeka Town Ma-  
ny P.O. is Enfield St. I am about  
(75) years of age. I have no inter-  
est in prosecuting the said Mar-  
shall C. Kelly's claim to citizenship  
here.

Tussekiah Mices

Signed,

Attest  
J. H. Morton

Sworn & Subscribed to before me this 18th day August  
1896.

J. H. Morton  
Notary Public

Oskumelga St. Aug. 17 1896.

To whom it may concern:-

Know Ye, That Robert Kelly a Creek Indian of Killbuck Canadian Town m.m. has this day personally appeared before me the d. A. Parkinson a Notary Public, in support of M.C. Kelly's claim to Citizenship in the Creek Nation<sup>2d</sup> deposed and says, I know M.C. Kelly, he is a second cousin to me, and is the son of Tobias Kelly who was my father's uncle. About (24) or (25) years ago two strange men came to our house, one being a rather oldish man and the other a young man. The old man talked Creek and told us that the young man was his son. We knew from their appearance that they were Indians and as the old man could talk Creek, we knew that they were Creek Indians. They were hunting for their kin folks, and in making inquiries of my father and telling him about their people, my father recognized the old man as being his Uncle.

My father was preparing to go to Council at Oskumelga and thinking that more of his kin people might

be there, he took our new found  
Uncle Tobias Kelly and his son M.C.  
Kelly along with him to Okmulgee  
where the Council met.

While at Okmulgee, our Uncle Tobias  
Kelly met several of his old acquaint-  
ances, men whom he had known  
back in Alabama. He was recognized  
at that time by the authorities of the  
Creek Nation, as being a boni fide  
Creek Citizen, and he and his son M.C.  
Kelly were both enlisted in the national  
army, under the leadership of Samuel  
Chicottee, against the Saw Faction.

There were however no fighting done  
and when quiet was restored, our  
Uncle Tobias Kelly and his son M.C.  
Kelly were paid for their services the  
same as all others who served un-  
der Chicottee. Uncle Tobias and his  
son M.C. Kelly return home with my  
father and staid with us for some  
time. When they returned to their own  
home in Texas, they took me with  
them promising to move directly back  
to the Creek Nation, but when they and  
I reached their home and was prepar-  
ing to move back to the Creek Nation, Un-  
cle Tobias Kelly sickened and died, after

which his wife, M.C. Kelly's mother gave up the idea of moving, and M.C. Kelly would not move away and leave his mother, so they never moved to the Creek Nation at all.

I lived in Texas, with M.C. Kelly, about (6) or (7) years, and finally come' back to the Creek Nation.

When Uncle Tobias Kelly and his son M.C. Kelly were here, they selected a place near where Eufaula is now located, to build their home, and asked my father to look after <sup>it</sup> for them until they returned, which he promised to do. My name is Robert Kelly. I am a Creek Indian and belong to Hillabee Canadian Town M.N. My P.O. address is Okmulgee ~~Ok~~ and I am about (43) years old.

Upon meeting M.C. Kelly a few days ago, I recognized him, as being the identical M.C. Kelly whom I lived with in Texas. Robert Kelly <sup>his</sup> Mark

Attest

P.K. Morton

O.W. Morton

Subscribed and sworn to before me this 17 day Aug 1896. Fred A. Parkinson  
Notary Public



Eufaula St. (1872)  
To whom it may concern:  
Know ye, That  
Creek Indian of  
Town M.M. has this day personally  
appeared before me  
a Notary Public, in support of  
M.C. Kelly's claim to citizenship  
in the Creek Nation, and deposes  
and says, about the year of 1872, or  
(1873) I met a man by the name  
of Tobias Kelly, who was said to be  
an Uncle of Sack Kev-la-hargo  
who was a Creek Indian and a  
citizen of the Creek Nation.  
The said Tobias Kelly had a younger  
man with him whom he  
said or claimed to be his son.  
I am satisfied that the said Tobias  
Kelly was a Creek Indian as he  
had every appearance of an Indian  
and talked Creek fluently.  
I recognize M.C. Kelly as being the  
same man who was here with  
Tobias Kelly. The said Tobias Kelly  
was recognized by some of our  
people and was told by the  
who was then Chief to go home  
and see the people of the Nation.



least and I am a citizen of the United States  
and said M. C. Kelly is a relation to  
my first wife and is a second  
cousin to my second wife.  
Wm. H. Foster

Subscribed and sworn to before  
me this 21<sup>st</sup> day of August 1896  
1900  
Chas. F. Furman  
Notary Public

IN THE MATTER OF THE APPLICATION OF MARSHALL C. KELLY FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the  
undersigned authority, Pleasant Porter, who being by me first  
duly sworn upon his oath says as follows:-

I am of lawful age.

I am a citizen of the Creek Nation by blood, and am on the  
Rolls of the Creek Nation. I reside in Muscogee Ind. Ter.

On the 17th., day of August 1896 I met the claimant,  
Marshall C. Kelly in Muscogee Ind. Ter. I then and there recog-  
nized him as the man I met at Okmulgee in 1872. He and an old  
man, he claimed to be his father being together. This was the  
time that the difficulty arose between Sands and Checotah of the  
Creek Nation.

P. Porter

Subscribed and sworn to before me this August 26 1896.

N. A. Gibson

NOTARY PUBLIC.

IN THE MATTER OF THE APPLICATION OF MARSHALL C. KELLY FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the under-  
signed authority, Mrs. Annie A. Severs, who being by me first  
duly sworn upon her oath says as follows:-

I am <sup>53</sup> years of age.

I reside in the town of Muscogee Creek Nation, Indian Territory.

I know the claimant Marshall C. Kelly. His father was a half  
uncle of mine, on the Creek side. The claimant is one quarter  
Creek Indian by blood. I am a Creek Indian by blood and am  
recognized as a full citizen of the Creek Nation, my name being  
on the Creek Rolls.

Annie A. Severs

Subscribed and sworn to before me this August <sup>26</sup> 1896,

N. A. Gibbons  
Notary Public.

IN THE MATTER OF THE APPLICATION OF MARSHALL C. KELLY FOR CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the undersigned authority, James P. Shoemaker, who being by me first duly sworn, upon his oath says as follows:-

I am 70 years of age. My Post Office Gatoola Texas. I am a Cherokee Indian by blood. I know the claimant Marshall C. Kelly and have for the past forty years He was a son of Tobias Kelly and had one brother, viz. Greene B/ and one sister, viz. Margaret A. Each of whom is dead but left heirs. I saw the claimant yesterday in the town of Muscogee, Ind. He has four children, viz. R. K. Kelly, Alice Kelly, now English, Kate Kelly, now Tumlinson, and M. C. Kelly.

The claimant, his family and father were always reputed to be Creek Indians by blood. I have no interest whatever in the prosecution of this claim.

*J. P. Shoemaker*  
-----

Sworn to and subscribed before me this August 18, 1896.

*N. Gibson*  
-----  
Notary Public.

IN THE MATTER OF THE APPLICATION OF MARSHALL C. KELLY FOR CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the undersigned authority, D. V. Anderson, who being by me first duly sworn upon his oath says as follows:-

I am of lawful age.

I am a Creek Indian by blood and a recognized citizen of the Creek Nation. I have held a number of official positions in my Nation.

I am a full brother of Mrs. F. B. Severs of Muscogee I. T.

I know the claimant Marshall C. Kelly and his father Tobias Kelly. I met them here at Okmulgee in 1872 during the Checotah war. Tobias Kelly was my uncle. Marshall C. Kelly is my cousin. They are Creek Indians by blood.

D. V. Anderson

Sworn to and subscribed before me this August 21, 1896.

W. F. Severs

Notary Public.



587-

Personally appeared before me the undersigned, a Notary Public in and for the Northern District of the Indian Territory, W. F. Seaver, who being by me first duly sworn, upon his oath says that he did on the 28<sup>th</sup> day of August, 1896 deposit in the United States Post Office at Okmulgee, Indian Territory, a sealed envelope containing true and correct copies of the Petition and Evidence in the case of Marshall Keely et al. for citizenship in the Creek Nation of Indians, addressed to Esparhecher, Chief of the Creek Nation, at Okmulgee, Indian Territory, with lawful postage paid thereon, and that said Office is where the said Chief gets his mail.

W. F. Seaver

Sworn to and subscribed before me this 3<sup>rd</sup> day of September 1896

N. A. Gibson  
Notary Public aforesaid.

BEFORE THE DAWES COMMISSION, VINITA, INDIAN TERRITORY.

Marshall C. Kelley,----- Plaintiff.

VS. ( Answer.

The Creek Nation,----- Defendant.

The defendant for answer says:

1st. That the said applicant was born and raised in the State of Alabama and Texas and has never lived within the limits of the Creek Nation, and is living in San Antonio Texas, where he has held the office of jailer and is still holding that position as this defendant is informed and believes.

2 That the said applicant and his father visited the Creek Nation in 1872 and remained a short time and then returned to Texas where his father died and the family remained in Texas and have enjoyed all the privileges of white citizens of that State, and this defendant denies that the applicant is entitled to citizenship in the Creek Nation or to any of the privileges thereof.

3. The defendant denies that the applicant is a Creek Indian.

S. B. Callahan,

Bunny McIntosh,

Attorneys for defendant.

Attorneys for defendant.

Bunny McIntosh

says that he believes the matters and things

set forth in the foregoing answer to be true.

Bunny McIntosh

Sworn to, and subscribed before me this 22<sup>nd</sup> day of Feb in 1886.

Due to Rogers (ind)  
M. G.

W. C. Kelley ex p. Oct 10<sup>th</sup> 1900

100

Description of V.C. Trip

COMMON to many unperfected persons in the East. They are

1887

...або в інших місцях, де вони не повинні бути.

from word to word; and said Marshal C. Kelly stated that he  
 did witness when I and he were sold for \$200.00 per acre and  
 Kelly took him to house of I and he a Greek Indian in the case  
 of it in the presence of one Peter Wolf that the Greek Indian  
 got a  
 claim, who mentioned that the said Marshal C. Kelly did upon  
 that the it belonged to destroyed with Marshal C. Kelly the  
 words "liter", so as well known, who upon his oath deposes and

VIETNAM VETERANS ASSOCIATION

U.S. DEPARTMENT OF JUSTICE

abortion? for example? in the

IN THE INTEREST OF THE STATE OF MICHIGAN

In the matter of the claim of Marshal C. Kelly,  
applicant for citizenship in the  
Creek Nation.  
-----

Personally appeared before me the undersigned authority,  
George W. Tiger, to me well known, who upon his oath deposes and  
says; that he is personally acquainted with Marshal C. Kelly the  
claimant above mentioned; that the said Marshall C. Kelly did upon  
day of 1886 in the town of Okmulgee I.T.  
tell him in the presence of one Basil Scott that his father Tobias  
Kelly took his allotment of lands as a Creek Indian in the State  
of Alabama which land he afterward sold for \$50.00 per acre and  
then moved to Texas; and said Marshal C. Kelly stated that he  
resided at San Antonio Texas.

Geo. W. Tiger,  
-----

Sworn to and subscribed before me this 21st. day of  
September A. D. 1886.

E. F. Callahan.  
Creek National Atty.

**End**



1896  
CR 83

1896  
CR 83

No. 88

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Loan King Et al*

VS.

*Crut*

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR PRINT POST 1897

..... vs..... Nation, as follows:

WITNESS my hand and official seal at Muskegon  
this the 29<sup>th</sup> day of January 1897  
Jas. A. Munster  
Clark.

No 43

Erwin King Et AL

vs.

Queen Station

Order of Appeal

## NOTICE.

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

ss.

Erwin King et als

to be

enrolled as citizens of the Muskogee Nation.

In the United States Court for said District.

In the matter of the application of

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Erwin King et als

Muskogee

to be enrolled as citizens of the  
Commission

Nation, from said

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 22nd day of  
Jan. 1897. A.D. 189

Clerk.



**End**

1896  
CA 84

1896  
CA 84

No. 84

Emily King  
Vs  
Creek Nation.

Receipt

Received of the Creek Nation the sum of \$100.00 for the use of the Creek Nation.

Witness my hand and seal this 1st day of May, 1900.

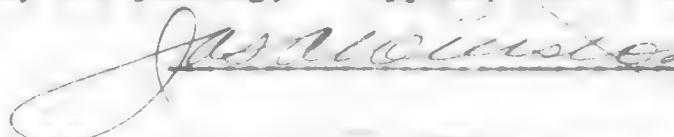
Attest: J. M. Smith, Secretary of the Creek Nation.  
J. M. Smith, Secretary of the Creek Nation.  
J. M. Smith, Secretary of the Creek Nation.  
J. M. Smith, Secretary of the Creek Nation.  
J. M. Smith, Secretary of the Creek Nation.  
J. M. Smith, Secretary of the Creek Nation.  
J. M. Smith, Secretary of the Creek Nation.  
J. M. Smith, Secretary of the Creek Nation.  
J. M. Smith, Secretary of the Creek Nation.  
J. M. Smith, Secretary of the Creek Nation.

84

IN THE UNITED STATES COURT FOR INDIAN TERRITORY, NORTHERN DIVISION.

Muscogee, Indian Territory, January 16, 1898.

Received of A. L. Aylesworth, Secretary of the Commission to the Five Civilized Tribes, the original papers in the citizenship case of Emily King, et al, versus the Creek Nation, No. 84, to be used in support of case of \_\_\_\_\_ versus the Creek Nation, now pending, on appeal, before this Court.

  
Clerk.

\_\_\_\_\_  
Deputy.

No. 84

Emily King, et al,

Versus

Creek Nation.

ORDER.

Attest: Notary Public.

Notary Public Creek Nation.

To the Honorable the Creek Nation.

At the City of Muskogee, Muskogee County, Oklahoma.

Witness my hand and seal this 1st day of June, 1906.

Notary Public.



U.S. Ct.  
Indian Territory  
# 783

United States Court  
For the Northern District of Indian Territory  
William M. Springer,  
Judge.

TERMS OF COURT.  
MUSKOGEE:  
First Tuesday in May.  
First Tuesday in December.  
VINITA:  
First Tuesday in February.  
First Tuesday in October.  
MIAMI:  
First Tuesday in April.  
First Tuesday in November.  
TAMHOQUAH:  
Second Tuesday in April.  
Second Tuesday in November.

Muskogee, Ind. T., Jan. 17, 1898. 189

The Honorable United States Commission  
To the Five Civilized Tribes,  
Muskogee, Indian Territory.

Gentlemen:

You will please forward to the Clerk of this Court the  
papers in the case of Billy King against the Creek Nation, No.  
755 on your docket.

Very respectfully,

Wm M. Springer  
Judge, United States Court.

**End**

1896  
CR 85

1896  
CR 85

No. 85-

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Martha J. Killian Etal*

VS.

*Ornd*

Nation.

Received and filed this

day of

189

Secretary.

LEVATOR JOB PRINT FORT SMITH.

..... vs. .... Nation, as follows:



No 88-

Martha Killiam Skell

vs.

Creek Nation

Order of Appeal

## NOTICE.

United States of America.

INDIAN TERRITORY,  
NORTHERN DISTRICT.

In the United States Court for said District.

In the matter of the application of  
**Martha J Killian et als** to be  
enrolled as citizens of the **Muskogee** Nation.  
~~Cherokee~~TO THE ~~Commission to the five civilized tribes~~

You are hereby notified that an appeal has been taken in the matter of the application of

**Martha J. Killian et als**to be enrolled as citizens of the ~~Muskogee~~ Nation, from said  
**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the ~~25th~~ 25th day of**Jan 1897** A.D. 189*John H. ...* Clerk.

**End**

1896

CR 86

1896  
CR 86

VIOLATION OF THE  
MILITARY  
E. J. C. J. C.

THE COURT OF THE

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Before the Dawes Commission, Vinita, Indian Territory.

Margaret Lawrence,----- Plaintiff,

VS. ( Answer,

The Creek Nation,-----Defendant.

The defendant says: That it appears by the statements in the said application that she was born and raised in the State of Texas and still resides there and has never been in the Creek Nation or made application heretofore for citizenship on account of blood.

And the witnesses whose affidavits are filed in support of her application are citizens of the State of Texas and not competent under the laws of the Creek Nation to establish her right to citizenship.

The defendant says that applicant is not a Creek Indian but is an alien and not entitled to citizenship in this Nation or to any of the privileges thereof.

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Witness*

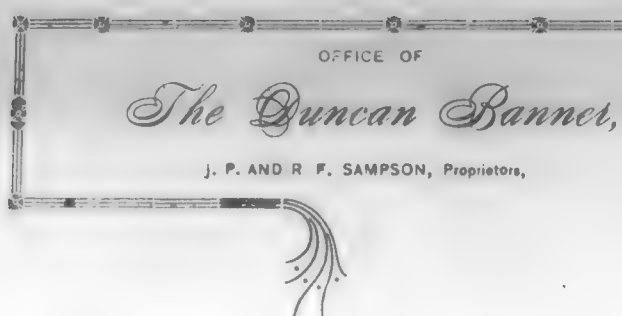
says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 22 day of Oct. 1896.

*Witness my hand and private seal hanging my official seal*  
*and the Deputy Clerk*  
*H. P.*

*My Comm. Exp. 11. 1. 1900*



Duncan, Ind. Ter., Sept 7 1896

Hon. Henry L. Dawes,  
Chm. Dawes Com. Vinda, I.T.

Enclosed please find application, and affidavits sustaining same, of Margaret Lawrence, asking to be recognized by your honorable body, as a citizen of the Creek Nation, Ind. Terr.  
We respectfully ask, in behalf of said applicant, that her claim be duly considered by your honorable body,  
Very Respectfully,  
J. P. & R. F. Sampson  
attys for applicant

| REGISTRY RECEIPT.     |   |
|-----------------------|---|
| Post Office at        | Duncan, I.T.  |
| Registered Letter No. | 83 Rec'd Sept 7 1896  |
| of                    | J. P. & R. F. Sampson   |
| addressed to          | Governor of the Creek Nation<br>Okmulgee, I.T.<br>J. P. & R. F. Sampson, M. |

United State of America, }  
Indian Territory, } ss.  
Southern District. }

I H. M. Wolenton do solemnly swear that  
on the 7th day of September 1896 I saw a  
registered at the Post office at Duncan, Ind. Ter.  
Addressed to His Excellency Governor

of the Creek Nation Comanche  
Indian Territory; That registry receipt no 89,  
hereto attached is receipt for said package  
which contained true copies of the application of  
Margaret Lawrence and of the affidavits  
of Alfred Anderson, Joseph Yorbrough and  
Marshall C. Kelly in support of  
same. That I have no interest in the prosecution  
of this claim.

H. M. Wolenton

Subscribed & sworn to before me this the 7th day  
of September 1896 and I certify that the affiant  
is a creditable person & that I have no interest  
in the prosecution of this claim.

M. G. Wilkinson  
Notary Public.

Application for Citizenship  
United States of America Indian Territory  
To Hon. Henry L. Davis Chairman of the  
Commission. I Margaret Lawrence  
your Petitioner the undersigned being  
sworn on her oath Respectfully states that  
her name is Margaret Lawrence Age  
Twenty four years. Post Office Address  
Anchorage Alaska <sup>Territory</sup> and that she is entitled by  
blood to Citizenship in the U.S. for  
the following reasons To Wit  
My Grand Father was Tobias Kelly My  
Grand Mother was Margaret Kelly, they raised  
(3) children named as follows True B. Kelly  
deceased, who if living would be 67 years of age  
Margaret A. Kelly (deceased) who if living  
would be 63 years of age Marshall  
C. Kelly, Age 60 years. Post Office Address -  
San Antonio Texas My Grand Father Tobias  
Kelly was a one half blood Creek Indian  
My Mother Margaret Steadman was



Maider name was Margaret A. Kelly  
was one quarter blood Creek Indian  
my Father's name John Stitham  
Mother's name Margaret A. Stitham  
my name Margaret Lawrence one eighth  
by blood Indian (Creek) being the Grand  
Daughter of Tobias and Margaret Kelly, my  
Grand Mother - That her family and  
relationships consist of the following  
named Persons by self Margaret Lawrence  
Age Twenty-four years and my children  
whose names & ages are as follows -  
Anne E. Lawrence Age Three years  
John Crockett Lawrence Age Six years  
and Baby Debila Lawrence Age  
Three months - and Respectfully ask -  
to be Enrolled together with each  
Member of her family as a Member of  
the Creek Nation of the I. T.  
Your petitioner states the above facts as  
the Lawfull grounds of her application for  
Citizenship in the said Creek Nation  
and prays that her claim be allowed



Investigated by your Honorable body  
and that she be adjudged to be a  
Citizen of said Creek Nation of Indians  
and entitled to all the rights and  
privileges pertaining to such Citizens  
in accordance with the Laws and  
Treaties made with said Nation of  
Indians

Witness my hand this the 31<sup>st</sup> day  
of August A.D. 1896

Witness

W.B. Lawrence

Alfred Anderson } (sign here)  
Margaret X Lawrence  
Liberite and her son to  
before me the undersigned Authority on  
this the 31<sup>st</sup> day of August A.D. 1896 -  
and I Certify that the Applicant is a  
Responsible and Creditable person - worthy  
of belief and that I am not interested  
in the matter to which this Application relates  
Witness my hand & seal of office on this  
the 31<sup>st</sup> day of August A.D. 1896 -

R. E. Neal J. P. & Official Notary  
Public in and for Alaska - D. J. 1896

State of Texas  
County of Bexar 3

Before me I, John A. [unclear]  
A Notary Public for the County of [unclear]  
State of Texas said person Alfred Anderson  
of Anchorage Alaska a County  
Txs. to me well known, who  
being by me duly sworn on his  
Oath depose and say! - his age  
is 38 years - that he is personally  
acquainted with Margaret  
Lawrence who is an "Applicant"  
for Citizenship in the Creek Nation  
Indian Territory. And Affiant further  
states that the said Margaret Lawrence  
is the identical person she  
represents her self to be in her  
Application for Citizenship in said  
Nation, and that the said Margaret Lawrence  
is the daughter of John Stickham and  
Margaret A. Stickham - as set forth  
in her Application for Citizenship in  
said Creek Nation I. T.

Affiant further states he has  
known the said Margaret Lawrence  
for about 24 years (ever since she was born)  
and knows that she is and has been

recognised ~~as~~ treated by her  
neighbors, Acquaintances ~~and~~ the  
public generally as a person of,  
~~and~~, having Indian blood,  
Affiant further states that he has  
an interest whatever in the prosecution  
of the Claim of the said Margaret  
Lawrence to Citizenship in the  
Creek Nation T. T.

Alfred Andersson

Subscribed & sworn to before me,  
this the 4th day of September 1896.

My Commission  
Expires June 27th  
1897

J. D. Orr  
Notary Public  
Beyar County Texas



State of Texas  
County of Bexar

Before me, J. Carr  
a Notary Public for the County and  
State of one said person named  
appeared Josiah Garbrough  
of Anchorage Alaska  
County Texas to me well  
known - who being by me  
duly sworn - on his oath  
depose ~~and~~ say! His age is 40  
years - And he knows Margaret  
Lawrence to be the identical person  
she represents herself to be in her  
Application for Citizenship in  
the Creek Nation Indian Territory,  
and that he has known Margaret  
Lawrence about 20 years -  
- nearly ever since she was born; Affiant  
further states he has no interest whatever in the  
prosecution of the claim of said Margaret Lawrence  
to Citizenship in the Creek nation of Indians  
in the Indian Territory.

"Signed"

Josiah Garbrough

Subscribed and sworn to before  
me on this the 4th day of  
September 1896. by making his mark!

J. Carr  
Notary Public  
Bexar County Texas

By a  
affiant June 7th  
1897

State of Texas  
County of Bexar

Before Me, J. C. Case  
A Notary Public in and for Bexar County, Texas,  
personally appeared Marshall C.  
Kelly and his wife Josephine Kelly  
of Bexar County Texas (San Antonio) to me  
personally and well known and being  
each by me duly sworn on their  
Oaths & depose and say! That they  
are personally acquainted with  
Mrs Margaret Lawrence of Mason  
County Texs, who is an Applicant  
for Citizenship in the Creek  
Nation of Indians in the Indian  
Territory. Affiants further state  
that they know Margaret Lawrence  
to be the identical person that she  
represents herself to be in her  
application for Citizenship in  
said Creek Nation, and that  
the said Margaret Lawrence  
is the daughter of John  
Stidham and Margaret A. Stidham  
as set forth in her application  
for Citizenship in said Creek  
Nation in the Indian  
Territory. Affiants further  
state that Margaret A. Stidham



No. 3325-

Merguente Lawrence

v

Green Nation

REGISTERED

FILED SEP 8 1896

FILED SEP 8 1896

A. S. MCKENNA

COM'R

Registered

J. A. R. F. Sampson  
Sungon

(Wife of John Stidham <sup>was</sup> the  
Mother of Applicant "Margaret  
Lawrence") was the daughter  
of Tobias Kelly <sup>by</sup> Margaret  
Kelly. The grand father of "Applicant"  
was a one half blood Creek  
Indian; The Mother of applicant a  
 $\frac{1}{4}$  - one quarter blood - Creek  
Indian, and that the Applicant  
Margaret Lawrence is a  $\frac{1}{8}$   
one eighth Creek Indian by  
blood, and as such is  
entitled to Citizenship in  
said Nation of Indians.

Marshall C. Kelly  
Josephine Kelly

Subscribed and Sworn to before  
me, this the 4th day of  
September AD 1896.

J. C. Carr  
Notary Public  
Bexar County Texas.

My Commission  
Expires June 7th  
1897  
H.

**End**

1896 CR 87

Personally this day  
appeared before me Pearl  
Eddleman. A Notary Public  
appeared Louis Lyons, who  
being duly sworn states  
on oath that he is a  
citizen of the Creek or Muskogee  
Nation, that he knows Quindry  
Thomas Lacy and has  
known her all her life. The  
affiant states that he has had  
read to him the depositions  
of Wm Berryhill, and he  
fully understands the same  
in substance, tenor and  
detail and the facts therein  
stated he knows personally  
to be true, and he reiterates  
+ swears to the truth of  
every fact therein stated as of  
his personal knowledge.

Affiant is no relative  
of Quindry Thomas Lacy, and  
has no interest in her  
claim, Louis Lyons

Subscribed sworn to before me this 7th day of  
September, 1896.

Pearl Eddleman  
Notary Public.



Muscogee, Ind. Ter. Sept 1 189

And Fred

Please acknowledge with

Wm. H. P. Jones  
1844

Veronica J. J. J. J.

Veronica J. J. J. J.

Veronica J. J. J. J.

Veronica J. J. J. J.

Veronica J. J. J. J.

Veronica J. J. J. J.

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Veronica J. J. J. J.

Veronica J. J. J. J.

Veronica J. J. J. J.

Before the Dawes Commission, Vinita Indian Territory.  
Lucinda Thomas Lacy,-----Plaintiff.  
V.S. (Petition for enrollment.  
The Creek Nation,----- Defendant .

1. The defendant for answer says: That the plaintiff was never lawfully ~~enrolled~~ upon the rolls of the Creek Nation and if she was on at all she was stricken off before the 10th day of June A.D. 1895, as having been put there by some unauthorized person.

2. The defendant says that the allegations in the complaint and proof submitted in support thereof do not show what town the plaintiff was enrolled in, if at all, and the defendant says that the proof offered to prove her enrollment is secondary, and inadmissible, the rolls or a certified copy, certified to by the ~~custodian~~ <sup>and the person to whom they are committed</sup> being the best evidence, wherefore the defendant says that the plaintiff does not by her complaint and proof establish a right to enrollment as a citizen. *I am dependent upon the rolls of the Creek Nation, and the rolls are the best evidence.*

S. R. Callahan,

Bunny McIntosh,

Ben T. Duval,  
Attorneys for defendant.

*Ben T. Duval* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bennie McIntosh*

Sworn to and subscribed before me this *22* day of *October* 1906

*W. H. Rogers*  
*Notary Public*

*Only Commission Expires Oct 14 1910*





I am at present from it and as soon  
as possible they will be taken to their  
home in the Creek Nation where  
they have since and now reside. The  
petitioner and all her children  
were entered upon the rolls of  
the Creek Nation, and all drew  
money on the \$24 payment  
in 1847 and in 1848 when the  
proclamation was made the  
petitioner and four of her children  
Eugene, Rebecca, Georgia and  
William, were without notice and  
in a summary manner dropped  
from the rolls and were refused  
the right to share in the \$24 pay-  
ment. While 2 of her children, Gustus  
and William remained on the rolls  
and drew \$24 in 1849 and 1850  
they were on the rolls the last time  
petitioner heard, petitioner is  
not able to say how or by what  
authority the two her children  
were dropped from the rolls  
when all their names can be found  
up to 1849. They have never been  
in any way served with any  
notice that an effort would be  
made to drop them from the rolls.  
If notice had been given them they  
could not have been dropped  
before the Citizens Commission



the said Council are provided  
right to remain on the said  
Reservation has the children  
namely, Eiza aged 20 years, Ellen  
aged 18 years, Mary aged 16  
years, Jessie aged 14 years,  
Beckie aged 12 years, Willie  
aged 10 years, all said children  
being in the Creek or Muscogee  
Nation.

Further, they said the mother  
of the children be named in the  
to be the children, and their  
names be written on the Creek  
or Muscogee Nation children  
roll.

Wm. H. Tanner notary

Lucinda Thomas<sup>mk</sup>  
Attest  
J. H. Tanner

Sworn to and subscribed before  
me on the 15th day Sept 1894.

Pearl Eddleman.  
Notary Public

POOR ORIGINAL -  
BEST AVAILABLE COPY

Two Letters  
to the

[illegible]

POOR ORIGINAL -  
BEST AVAILABLE COPY

Enrolled as a tribal citizen  
of the Great Nation of the  
the arms of the 2nd and 3rd  
of 1864.  
is nothing is nothing  
Thomas Lee, and has no  
witness whatever in her claim  
Further action, Jan 24th.

Chas. E. Eddleman  
Mon 2nd J. Eddleman, at the  
of the 2nd and 3rd of 1864.  
of the 2nd and 3rd of 1864.

Peopl. Eddleman.  
with the 2nd.

Arion Eddleman  
and + more

6648-27

Lucinda I Day

v.

James Watson

---

FILED SEP 10 1896

A. S. McKENNON

COM'R

Adm't applicant  
and children

H. P. W. Sumner atty

Wm. J. J.



The Hon.  
J. A. M. S.

It is hereby stated  
that the said Pearl Eddleman  
is hereby notified, and is  
being notified, that he  
is a citizen of the Creek or  
Muscogee Nation, that he  
has been named as one of  
the persons named in the  
said petition, and is being  
notified of the same in substance  
and in detail, and the facts  
therein stated he knows, understands  
the law, and he reiterates and  
means to the truth of every fact  
therein stated as of his personal  
knowledge.

Witness my hand and seal  
this 6th day of September, 1896.

Further signed and  
sealed at  
Tulsa, Okla.

Attest J. P. M. Turner

Seen and subscribed before  
me this 6th day of September, 1896.

Pearl Eddleman.

Witness  
J. P. M. Turner



3  
REGISTRY RECEIPT.

Post Office at

Registered Letter

No. 179

Rec'd.

9-5-1896

of G. P. M. Turner

addressed to

Hon. Roly M. Gutosky

Esquire St.

J. M. Berry.

P. M.

J. C. PETTIGREW,  
UNITED STATES CONSTABLE.

Muscogee, Ind. Ter. Sept 7th 1899

I Bosie Scott do solemnly swear that on  
the 7th day of Sept of 1899 I saw a  
Package registered at the Post office at  
Muskogee and was addressed to Eley  
Megitash 2nd and acting Principal Chief  
of the Creek or Muskogee Nation that  
registry receipt No 179 received from  
Postmaster hereto attached is a receipt  
for said Package ~~which~~ which contained  
true copies of the application of Lucindy  
Thomas Lacy and of the affidavits of Aaron  
Berrhill and August D. Dyer in  
support of same. Bosie Scott  
Subscribed and sworn to before me on  
this 7th day of Sept of 1899

Bosie Scott

Pearl Eddleman.

Notary Public.

Executive Office,  
MUSKOGEE NATION.

Okmulgee, Ind. Ter., Sept. 7 1896

Recd this the 7th, day of Sept.  
Lucinda Thomas Lacy, Application,  
papers, Copy from the original  
papers which filed before the  
Dawes Commission.

Roley M. Dutoit  
2nd. V. C. L. P. C. H. C.  
M. N.

**End**

1896  
CR 88



Application  
of  
A. M. Self.

Application for Citizenship

Indian Territory }  
Newman District }

To the Honorable Census Commission.  
of the Creek Nation Indian Territory.  
Gentlemen:- The undersigned your petitioner. This day makes this his application for Citizenship in the Creek Nation in the I. T. In accordance with the Constitution and Laws of said Nation and respectfully makes the following statement of the grounds of this his Application to wit: That the Applicant is the son of one Manion Self who was born on the Arkansas River in the Creek Nation who is a recognized citizen of said Nation by Blood. and Applicant knows that said Manion Self was the Father of Alford Self. The undersigned hereby presents the above facts as the lawful grounds for this his Application for his citizenship by Blood. And respectfully waits the time when his Application shall be truly heard and tried. Respectfully submitted

Was 53 years old

Age 33 years. Postoffice Chickasaw I. T.  
Family with the same Relationship is as follows

A. M. Self. male Age 33 years  
Creek Indian by Blood and Father of  
A M Self

In witness of which Application I herewith  
set my hand, on this the      day of  
1896

Subscribed and sworn to before me this  
day of 3 Sept 1896.

Miss W La Fayette  
Clerk of State of Ark for the  
S. F.

Affidavit  
of  
Martha Self

---

Affidavit of Witness

Chicotah Creek Nation } Indian Territory

Before me the undersigned a Notary Public  
in and for said Nation and Territory aforesaid  
Personally appeared Martha Self who  
After being by me duly sworn states that  
She is 52 Age and has known A. M. Self  
from birth 33 years to this date and  
do know said A. M. Self senior to be  
the son of one A. M. Self Jr who was  
born on the Arkansas River in the  
Creek Nation I. T. and I Martha Self  
do know that A. M. Self Jr always  
has acknowledged A. M. Self Jr as his  
son and the affiant knows that A. M. Self  
is a Creek Indian by Blood and from  
the above facts I do know that A. M.  
Self is a Creek Indian by Blood  
Martha A Self



Subscribed and Sworn to before me this  
3 day of Sept AD 1896  
and I further certify that I am well  
acquainted with the said Martha self  
and know her to be a Person of  
credibility and of truth and veracity  
Moses Lafayette  
Clerk of State of Ark  
for the 4th

Affidavit  
of

Martha self

Apparatus  
of  
H. B. Self

Indian Territory Northern District, S.D.

In the matter of the application of Alfred  
Self and descendants for citizenship in  
the Creek Nation.

On this 12<sup>th</sup> day August 1896 personally appeared  
before me a Notary Public within and for the above  
named District W. B. Self aged  
76 years whose P.C. address is Sapulpa  
Ind. Ter, who after being duly sworn declares  
in relation to aforesaid claim as follows:-

That he is acquainted with and has known  
Alfred Self since his birth. That he knew  
Marion Self, father of Alfred Self, and  
knows that said Marion Self was born on the  
Arkansas River, in the Creek Nation, was a  
recognized citizen of said nation, by blood,  
and affiant knows that said Marion  
Self was the father of Alfred Self.

W. B. Self

Subscribed and sworn to before me  
this 12<sup>th</sup> day of August 1896

John L. Luber  
Notary Public.

Affidavit  
of #2120

Nathaniel Berryhill  
vs

Oriskany Nation

Filed Sept 8<sup>th</sup> 1896  
A. M. Kinnear  
Clerk

P.O. Cherokee  
I.T.

Affidavit of Witness

Cherokee Creek Nation } Indian Territory

Before me the undersigned a ~~Notary Public~~ <sup>Judge of said</sup> ~~and for~~ said Nation and Territory aforesaid  
Personally appeared Nathaniel Berryhill  
Who after being by me duly sworn states that  
he is 66 years of Age and has known A. M.  
Self for 24 years in the Creek Nation  
and know him to be a son of A. M. Self  
Senior and from information he was borned  
on the Arkansas River in the Creek Nation  
Indian Territory and I Nathaniel Berryhill  
do know that A. M. Self Senior always  
has acknowledged A. M. Self Jr as his  
son and I have just cause and good reasons  
to believe and do believe that he  
is the son of A. M. Self Senior and a  
Creek Indian by blood.

N. Berryhill

Subscribed & sworn to before me this  
3 day of ~~August~~ <sup>Sept</sup> 1896.

Mose W. LaFayette  
Judge of State of Ark for  
The 2<sup>d</sup> Dist.



Subscribed and Sworn to before me this  
day of <sup>Aug.</sup> 1896  
and I further certify that I am well  
acquainted with the said Nathaniel  
Berryhill and know him to be a  
Person of credibility and of truth  
and veracity

Affidavit  
of #2120

Nathaniel Berryhill

vs  
Orest Nalson

Filed Sept 8<sup>th</sup> 1896  
Attest  
C. W. Kinnear  
Clerk

D. O. Cheslake  
S. J.

*Application of citizenship*

## Application for Citizenship

To the Honorable Comd Commission  
Ovato Indian Territory  
Gentlemen. The undersigned your Petitioners  
this day make this their Application for  
Citizenship in the Creek Nation in the  
Indian Territory in accordance with the  
Constitution and Laws of said Nation  
and Respectfully make the following  
Statement of the grounds of this our  
Applications to wit -

That these Applicants is the Son and  
Daughters of one William J. Mills, who  
was the Son of one Georganna Mills who was  
a Creek Indian by Blood who was  
acknowledged as such by the District  
Court of the Creek Nation in 1883

The undersigned hereby presents the  
above facts as the lawful grounds  
for this their Application for their  
Citizenship by Blood. and Respectfully  
waits the time when our Applications  
shall be truly heard and tried  
Respectfully Submitted

Agro Mated with yours and Postoffice  
Commamchee P.O. Commamchee Co. Texas.  
over

Family With their Relationship Attached  
is as follows

- 1 Martin M. Mills Female Age 21 years  
Creek Indian by Blood
- 2 Charles L. Mills male Age 17 years  
Creek Indian by Blood
- 3 Willie L. Mills Female Age 13 years  
John J. Mills

Subscribed & sworn to before  
me this 7th day Sept 1896  
Mike W. Lafayette  
Clerk of State of Ark  
for the L.P.

In Witness of which Application I herunto  
set my hand on this the                      day of  
1896                      Power of Atty  
Subscribed and sworn to before me this  
day of                      1896

John J. Mills



Affidavit of Witness of Indian  
Chickasaw Creek Nation Territory

Before me this day assigned, a Notary Public  
in and for said above Nation Indian  
Territory.

Personally appeared William J. Wills  
Who after being by me duly sworn, states  
that he is 33 years of Age and is a citizen  
of the Creek Nation Indian Territory and  
that he lives near Chickasaw Creek  
Nation Indian Territory and that he  
does know Charles M. Wills Charles L.  
Wills and Willie L. Wills who is an applicant  
for citizenship in the Creek Nation  
Indian Territory and Affirms further  
that the said applicants is the  
identical persons they represent  
themselves to be in this Application for  
citizenship and that the said Charles  
M. Wills, Charles L. Wills and Willie L.  
Wills is citizens of the Creek Nation  
by Blood and is the Son and Daughters of  
William J. Wills who was the Son of one  
Georgiana Wills Whose Application  
for citizenship was heard and tried  
in the District Court at Enfield Creek  
over

Nation Indian Territory and was then  
granted her citizenship by said Indian  
Court in 1883

And The affiant further states that 1887

that Georgann Mills citizenship was  
Disputed by the Indians and was appealed  
to The Supreme Court of the Creek Nation  
and The Supreme Court Decided that the  
act of The District Court was wrong and

Georgann Mills and family was Citizens  
of the Creek Nation by blood and they  
have remained citizens ever since

And The affiant further states that William  
J. Mills moved from Texas to The Creek  
Nation in 1882 and brought 2 his children of his own

with him Martin N. Mills and Charles L. Mills with

him Willie L. Mills who was born in the Creek  
Nation in 1885 and William J. Mills died

here in the Creek Nation at what is  
known as the Chedoke Smith Place in

1880 and the affiant further states  
that William J. Mills was the son of

Georgann Mills and was the father  
of Martin N. Mills Charles L. Mills and

Willie L. Mills and was a citizen of the  
Creek Nation by blood

William J. Mills

Subscribed & sworn to before me the 7th  
day of Sept 1896

Morello Lafayette  
Clerk of State of Ark  
for the S.

Subscribed and Sworn to before me this  
day of 1896 and I further  
certify that I am well acquainted with  
the said John J. Mills and know him  
to be a person of credibility and of  
truth and veracity

Mollie Sutton



Affidavit of Witness  
Okmulgee Creek Nation } Indian  
Territory

Before me the undersigned a  
Notary Public and for said above  
Nation Indian Territory

Personally appeared Mollie Sutton who  
after being by me duly sworn states that  
she is 39 years of Age and is a citizen of the  
Creek Nation Indian Territory and that she  
lives near Okmulgee Creek Nation Indian  
Territory and that she does know Murrie M.  
Wills Charles L. Wills and Willie L. Wills  
who is an applicant for citizenship in the Creek  
Nation Indian Territory and affiant  
further states that the said applicants are the  
identical persons they represent themselves  
to be in this application for citizenship  
and that the said Murrie M. Wills Charles  
L. Wills and Willie L. Wills is citizens of the  
Creek Nation by Blood and is the son  
and Daughters of William J. Wills who was  
the son of one Georganna Wills whose  
Application for citizenship was heard and  
granted in the District Court at Enfield  
Creek Nation Indian Territory over



and was then granted her citizenship by  
said Indian Court in 1883  
And the affiant further states that in 1887  
that Georgann Mills citizenship was  
Disputed by the Indians and was appealed  
to the Supreme Court of the Creek Nation  
and the Supreme Court decided that the  
act of the District Court was lawful and  
Georgann Mills and Family was Citizens  
of the Creek Nation by Blood.  
and they have remained citizens ever since  
and the affiant further states that William  
J. Mills moved from Texas to the Creek Nation  
in 1882 and brought a two children of his  
own with him Marie M. Mills and Charles  
L. Mills and Willie L. Mills who was borned  
in the Creek Nation in 1883 and William  
J. Mills died here in the Creek Nation at what  
is known as the Charley Smith place in  
1885 and the affiant further states that  
William J. Mills was the son of Georgann  
Mills and was the Father of Marie M. Mills  
Charles L. Mills and Willie L. Mills and was  
a citizen of the Creek Nation by Blood

E. Hollie Sutton

*Affidavit of Witness  
Chickah Creek Nation,*

*Subscribed and sworn to before me this  
1<sup>st</sup> day of Sept 1896 and I further  
certify that I am well acquainted with  
Mollie Sutton and know her to be a  
person of credibility and of truth and  
veracity.*

*Wm A. Parkinson  
Notary Public*

~~John M. McKenna~~  
~~Northwestern Pacific~~  
~~Co.~~

~~Creek Nation~~  
Munice, M.  
Charles E. and  
Wm. A. McKenna

Creek Nation  
FILED SEPT. 9 1896. ★  
★A. S. McKENNON★  
★COM 'R'★

Rejected

27.  
Affidavit of Witness  
Chicotah Creek Nation } Indian  
Territory

Before me the undersigned a Gov of State  
of and for the ~~State~~ and for said above Nation  
Indian Territory.

Personally appeared Nathan ~~Smith~~ Smith  
who after being by me duly sworn  
states that he is 66 years of Age and is a  
Citizen of the Creek Nation Indian  
Territory and that he lives near Chicotah  
Creek Nation Indian Territory and that  
he does know Murrie M. Wills, Charles  
L. Wills and Willie L. Wills who is an  
applicant for citizenship in the Creek Nation  
Indian Territory. and affiant further  
states that the said applicants is the identical  
persons they represent themselves to be in  
this application for citizenship and that  
the said Murrie M. Wills Charles L. Wills  
and Willie L. Wills is citizens of the Creek  
Nation by blood and is the son and  
Daughters of William J. Wills who was the son  
of one Georgann Wills whose Application  
for citizenship was heard and tried in  
the District Court of Enfield Creek  
over



Nation Indian Territory and was then  
granted her citizenship by said Indian  
Court in 1883

And the affiant further states that in 1887  
that Gorgann Mills citizenship was granted  
by the Indians and was appealed to the  
Supreme court of the Creek Nation and the  
Supreme court decided that the act of the District  
Court was law and Gorgann Mills and Family  
was citizens of the Creek Nation by blood  
and they have remained citizens ever since  
and the affiant further states that William  
J. Mills moved from Texas to the Creek Nation  
in 1882 and brought 2 two children of his  
own with him Murrie M. Mills and Charles L.  
Mills and Millie La Mills who was borned  
in the Creek Nation in 1883 and William  
J. Mills died here in the Creek Nation  
at what is known as the Charley D. Smith  
place in 1883 and the affiant further  
states that William J. Mills was the son  
of Gorgann Mills and was the father  
of Murrie M. Mills Charles L. Mills and  
Millie La Mills and was a citizen of the  
Creek Nation by blood

J. Berryhill



Subscribed and sworn to before me this  
3 day of Sep. 1886 and I further  
certify that I am well acquainted with  
the said ~~John J. Hill~~ <sup>Nathan S. Squire</sup> and know him  
to be a person of credibility and of  
truth and veracity

Wm W Lafayette  
Clerk of State of Ark for  
the G. P.

Received this day the application  
for citizenship in the Creek nation  
of A. M. Self with evidence in  
the cases. Sept 7<sup>th</sup> 1896

Ruby Whitlock  
Acty Prin Chief  
Muskogee nation

St. Callahan  
Privt Secy

THE STATE OF TEXAS, COUNTY OF DALLAS, ss.

VERIFICATION OF DEEDS  
AND RECORDS

W. S. CARRINGTON

NOTARY PUBLIC

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

My commission expires this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

WITNESSETH my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Notary Public for the State of Texas

My Comm. Expires \_\_\_\_\_

WITNESSETH my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Notary Public for the State of Texas

Before the Dawes Commission, Vinita, Indian Territory.

Murtie M. Wills, :  
Charles L. Wills, :-----Plaintiff.  
William L. Wills, :

VS. ( Answer.

The Creek Nation, )-----Defendant.

The defendant for answer says: That it appears by the statements in said application that the applicants are non-residents of this Nation; that they are citizens and residents of the town of Comanche, Comanche Co. Texas, and claim right to citizenship by blood but neither the petition or the affidavits show the ~~the~~ degree of Indian blood they are, wherefore the defendant says that their said statements in said application and in the affidavits filed in support thereof do not show that the applicants are entitled to citizenship in this Nation and the same ought to be dismissed. 2 11

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Benjamin McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Benny McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of Oct. 1896.

*Witness my hand and seal at Vinita, Indian Territory, this 22<sup>nd</sup> day of Oct. 1896.*

*Comm. Exp. Oct. 1<sup>st</sup> 1895*

**End**



1896 creek 89

No. 89

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Mrs Victoria Lawson Ehl

VS.

Orrin

Nation.

Received and filed this

day of

189

Secretary.

GEORGE JOE PRINT PORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

vs. .... Nation, as follows:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. A vertical margin line is present on the right side of the page. The paper appears to be from a notebook or a set of legal pads. There are no markings, text, or drawings on the page.

Witness my hand and official seal at Missoula  
this the 29<sup>th</sup> day of January 1897  
Jas. A. Winston  
Clark.

No 89

Victoria Lawson Et Al

vs.

Great Britain

Order of Appeal

## NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

ss.

In the United States Court for said District.  
In the matter of the application of  
**Victoria Lawson et als** to be  
**Creek** Nation.  
enrolled as citizens of the ~~Cherokee~~ Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**Victoria Lawson et als**

to be enrolled as citizens of the **Creek** Nation, from said  
**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **23rd** day of  
**Jan. 1897.** A.D. 189.....

*James H. Duntun* Clerk.



**End**

CR 90

#734

FILED SEP. 9 1884  
J. S. McKENNON  
COM'Y

Okemah, I.T. Sept 7<sup>th</sup> 1896

Received this day of Fannie Lewis for Nelson & Fisher  
her attorney  
a copy of application and evidence in case # 734 of  
Fannie Lewis for citizenship in the Muscogee Nation

Robt M. Intosh

Acty Prin Chief Muscogee Nation

By

J. M. Callahan

Print Secy

Before the Honorable Dawes Commission

Application of Fannie Lewis for citizenship  
in the Creek Nation.

~~Lewis now Fannie Lewis and declares~~  
her right to citizenship in the Creek Nation  
by virtue of the following facts to-wit:-

That she is of African descent, and is a  
daughter of Marinda Humphrey, who is a daugh-  
ter of Elara Franklin, who is a daughter of  
Monday Durant who was a recognized and  
enrolled citizen of the Creek Nation under the  
treaty of 1866 between the United States and said  
Creek Nation. That said Monday Durant was of  
African descent.

That your applicant has resided in the Creek  
Nation since the Spring of 1880, and her right  
to do so has never been denied or objected to.

That for proof in support of her claim she  
refers to the case of her mother, Marinda Humphrey  
filed before this commission.

That while her right to reside in said Nation has  
never been denied or objected to yet she has never  
been placed on the rolls of said Nation, nor been  
permitted to participate in the annuities and funds  
distributed among the members of said Nation.

Wherefore she prays that she may be ad-  
mitted and enrolled as a citizen of said Creek  
Nation. Nelsons Suber Atty for Applicant.



Fannie Lewis says that the statements of the  
foregoing application are true.

Fannie Lewis

Subscribed and sworn to before me this 28<sup>th</sup>  
day of August 1896.

John G. Heber,

Notary Public.

My Comm. Expires Dec. 18, '98.

# No 734  
born of 90  
Fannie Lewis  
for citizenship in the  
Creek Nation

Filed Sept 3-1894  
A.S. McKenna  
Clerk

Repeated

Filed by  
Nelsons Lieber,  
Atty. at Law  
Muscoogee,  
Ind. Ter.

Indian Territory, Northern District S. S.  
In the matter of the application of Fannie  
Lewis ————— for citizenship in  
the Creek Nation.

On this 27<sup>th</sup> day of August 1896 personally  
appeared before me a Notary Public within  
and for the above named District Marinda Humphrey  
aged 44 years, whose P. O. address is Muscogee  
Ind. Ter., who after being duly sworn declares  
in relation to aforesaid claim as follows:-  
That she is the mother of the above named  
applicant, Fannie Lewis, who was born in  
lawful wedlock, and that said Fannie  
Lewis has resided in the Creek Nation  
since the Spring of 1880. That applicant  
is the daughter of Flora Franklin, and is  
of African descent.

Witness  
to  
mark.

{ Fannie McIntosh Marinda <sup>her</sup> Humphrey  
Carrah Parish mark

Subscribed and sworn to before me this 27<sup>th</sup>  
day of August 1896. John L. Leber  
Notary Public

"C. C. Coffey"

right to citizenship.

and petition and affidavit in support thereof show a living negro.

2. The defendant says that the plaintiff does not pay her

fees in the lands distributed to the members of said nation.

citizen but in the country she has been denied the right to her

rights in the lands of the jurisdiction of the Creek nation as a

has never been admitted in the laws of said nation to settle

the land to the Creek country first in the spring of 1880 that she

her said petition that she is a person of African descent and that

8. The defendant says it is her duty from the affidavits in

her said petition.

9. Whereof a copy of the same and now stated in

and of the House of Representatives the effect becomes a citizen under

citizenship in the Creek nation on account of her being a des-

1. The defendant denies that the plaintiff is entitled to

The Creek nation.

and (petition for admission.

before the House of Representatives.

before the House of Representatives.

OCT 23 1896  
A. MCKINNEY  
COM.



Before the Dawes Commission, Vinita Indian Territory.  
 Fannie Lewis,----- Plaintiff.  
 vs. ( Petition for enrollment,  
 The Creek Nation,-----Defendant.

1. The defendant denies that the plaintiff is entitled to citizenship in the Creek Nation, on account of her being a descendant of Monday Durant, who she alleged became a citizen under 2nd. Article of Treaty of 1866 in the manner and form stated in her said petition.

2. The defendant says it appears from the allegations in her said petition that she is a person of African descent and that she came to the Creek country first in the spring of 1880, that she has never been permitted by the laws of said Nation to settle within the limits of the jurisdiction of the Creek Nation as a citizen but in the country she has been denied the right to participate in the funds distributed to the members of said Nation.

3. The defendant says that the plaintiff does not by her said petition and affidavit in support thereof show a "prima facie" right to citizenship.

*He has no evidence to show this  
 from court. he is no descendant  
 of Monday Durant in this case.*  
 S. F. Callahan,

Benny McIntosh,

Ben F. DuVal,  
 Attorneys for def't.

*Bennie F. McIntosh*  
 says that he believes the matters and things  
 set forth in the foregoing answer to be true.

*Bennie F. McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896  
*in my office at Vinita, Oklahoma Territory*  
*of 2nd - 2nd*  
*and in presence of*  
*Notary Public*  
*Commission expires, 6th Dec 1896*



**End**

CR 91

#731

FILED SEPT. 9 1892  
A. S. MCKENNON  
COM'R

Chickasaw I. T. Sept 7<sup>th</sup> 1896

Received this day of Alice Lewis per Nelson Leiber  
her Attorney. Copy of application and evidence in  
case # 731 of Alice Lewis for citizenship in the  
Creek Nation.

By  
J. B. Leiber  
Attorney

Robt. M. McIntosh  
Acty Prin. Chief Muskogee Nation.

Before the Honorable Dances Commission  
Application of Alice Lewis for  
Citizenship in the Creek Nation

Alice Lewis applies for Citizenship  
in the Creek Nation by virtue of  
the following facts to-wit:

She is a lineal descendant of  
Monday Duncant who was of  
officer descent and a slave,  
and was duly admitted and  
enrolled as a citizen of the Creek  
Nation under the treaty of 1866,  
and remained upon the rolls  
of said Nation until his death  
six or seven years <sup>from this 28 Aug 1894</sup> ago; ~~from 1896~~  
Her mother's name as a maiden  
was Marinda Lowell, who married  
the father of this applicant, Thomas  
Humphrey, in about 1871. The  
mother of the said Marinda  
Lowell, afterwards Marinda  
Humphrey, was Flora Duncant  
who married Willis Lowell  
her father, the said Marinda  
being a grand-daughter of  
Monday Duncant.

The said Alice Lewis states  
further that she came into  
the Creek Nation in the Spring 1880.



with her mother Marinda Humphrey  
and her brothers and sisters, and  
settled on a farm adjoining  
the home of Monday Durant  
~~who~~ as his descendants, the said  
Durant being recognized as  
a citizen of the Nation, and  
the mother and grand-mother  
of this applicant being recognized  
as his lawful descendants.

That as descendants of Monday  
Durant, they were permitted to  
take upon and improve lands,  
and the mother and grandmother  
of this applicant are  
now holding improvements  
made by authority of the Creek  
Nation, a special act having  
been passed conferring this  
right. That the said Alice Lewis  
formerly Alice Humphrey ~~was~~  
is 22 years old, and was lawfully  
to married to Geo. Lewis on 14<sup>th</sup>  
Dec 1895 by Rev J. J. Moore  
under a license obtained from  
the U.S. Court at Muskogee S.?

That for further proof of  
her rights she refers to the evidence

in the case of her brother Marianda  
Humphreys before said Commission.

That while her right to reside  
in said Nation has never been  
denied or objected to, yet she has  
never been placed on the rolls,  
nor permitted to participate in  
the annuities and funds distrib-  
uted among the members of  
said Nation.

Wherefore your applicant prays  
that she may be enrolled and  
admitted as a Citizen of said  
Deck Nation.

Witness my hand

Attest for Alice Lewis  
Geo Lewis

Sworn and subscribed to by  
Geo Lewis, and sworn to also  
by Marianda Humphreys this  
28<sup>th</sup> day of August 1896.

My Com. Expires Dec. 18, '98.

John L. Seber.  
Notary Public.

|     |        |     |
|-----|--------|-----|
|     | German |     |
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| 40  | 41     | 42  |
| 43  | 44     | 45  |
| 46  | 47     | 48  |
| 49  | 50     | 51  |
| 52  | 53     | 54  |
| 55  | 56     | 57  |
| 58  | 59     | 60  |
| 61  | 62     | 63  |
| 64  | 65     | 66  |
| 67  | 68     | 69  |
| 70  | 71     | 72  |
| 73  | 74     | 75  |
| 76  | 77     | 78  |
| 79  | 80     | 81  |
| 82  | 83     | 84  |
| 85  | 86     | 87  |
| 88  | 89     | 90  |
| 91  | 92     | 93  |
| 94  | 95     | 96  |
| 97  | 98     | 99  |
| 100 | 101    | 102 |

POOR ORIGINAL -  
BEST AVAILABLE COPY

# No 771  
Case of  
Alice Lewis  
for citizenship in the  
Creek Nation.

---

Filed Sept 8-1894  
AS McKinnon  
Comm

Rejected

Filed by  
Nelsonsieber  
Atty at Law  
Macogee  
Ind. Ter.



Indian Territory, Northern District S. S.  
In the matter of the application of Alice  
Lewis ————— for citizenship  
in the Creek Nation.

On this 27<sup>th</sup> day of August 1896 personally  
appeared before me a Notary Public within  
and for the above named District Marinda Humphrey  
aged 44 years whose P. O. address is Muscogee  
Ind. Ter., who after being duly sworn declares in  
relation to aforesaid claim as follows:-

That she is the mother of the above named  
applicant, Alice Lewis, who was born in law-  
ful wedlock, and that said Alice Lewis  
has resided in the Creek Nation since the  
Spring of 1880. That applicant is the daugh-  
ter of Clara Franklin and is of African  
descent.

Witness  
to  
Mark

{ Sarah Parish Marinda <sup>her</sup> Humphrey  
Leoni Medentok mark

Subscribed and sworn to before me this 27<sup>th</sup>  
day of August 1896.

John E. Greer,  
Notary Public.



Veronica for defendant  
and T. M. J.

Anna Helms

E. B. Coffey

defendant's complaint

of defendant's wife or which shows how the defendant in the  
brought on the wife as defendant or defendant to avoid the rights  
of defendant or defendant not have that or any of them pass  
substantive things in violation of the contract of wife defendant after  
defendant also as and the defendant in this defendant to take up and  
5. Defendant denies the defendant's complaint for mother and living  
the defendant's complaint for mother and living  
the defendant's complaint for mother and living  
of the Greek nation under the defendant of Mrs. Victoria of  
and does not have the defendant to assist him to defendant's  
complaint for the defendant is a record of Victoria defendant

The defendant for several years - that is suggests how the

The Greek nation - defendant

and

Vice Party - defendant

before the House Committee, Alaska Indian Territory

Before the Dawes Commission, Vinita Indian Territory.

Alice Lewis,----- Plaintiff,

vs.

The Creek Nation,----- Defendant.

The defendant for answer says:- That it appears from the complaint that the plaintiff is a person of "African descent" and does not state facts sufficient to entitle him to citizenship of the Creek Nation under any of the provisions of 2nd. Article of the Treaty of 1866, on the contrary the said complaint shows that she is not entitled to enrollment as a citizen.

2. Defendant denies that the plaintiff, her mother and grand mother were at any time permitted by this defendant to take up and improve lands by authority of the Council of this defendant either by general or special act; <sup>The affidavits have produced no competent evidence as to any such act nor have they or any of them been</sup> placed on the rolls as citizens or permitted to enjoy the rights of citizenship, all of which appears upon the statements in the plaintiffs complaint. <sup>In the defendant's large file 14th Court where he is residing</sup>

S. F. Callahan,

Bunny McIntosh,

Ben T. Duval,  
Attorneys for defendant.

*Bonnie McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bonnie McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October, 1896.

*We stamp my hand & private seal as above, in the presence of*

*James H. Rogers (dealy)*

*Notary Public*

*Witness my hand & seal this 22<sup>nd</sup> day of October 1896*

**End**

CR 92

741

FILED SEPT. 9 1896. ☆

☆ A. S. MCKENNON ☆

→ COM. 'R' ←



Musaga P.T. Sept 8<sup>th</sup>/81  
Received this day of John G. Lieber copy of  
application ~~and order~~ in case of  
John G. Lieber for citizenship in the  
Creek Nation  
Raley McIntosh  
Act. Prin. Chief Musaga Nation  
By J. P. Callahan  
J. P. Callahan

#No 741 72  
Case of  
John G. Lieber  
for citizenship in the  
Creek Nation

Filed Sept 2-1894  
AS McKinnon  
Clerk

Replied

Filed by  
Nelson & Lieber  
Attys at Law.  
Muscookee  
T. T.

and enrolled as a citizen of said Nation.  
John Lieber says that the statements of the  
incoming applicants are true. John Lieber  
subscribed and sworn to before me this 21st  
day of August 1894  
W. D. Henderson  
Notary Public.

To the Honorable Dawes Commission.

Application of John E. Sieber for citizenship in  
the Creek Nation.

Comes now John E. Sieber and declares  
his right to citizenship in the Creek Nation  
by virtue of the following facts to wit:-

That he has resided in the Creek Nation since  
the 15<sup>th</sup> day of September 1894, and on the 5<sup>th</sup> day  
of June 1895 was united in marriage ~~to~~ in the  
Creek Nation to Miss Sara Scott Adair, who is  
and was at the time of said marriage a  
recognized citizen of the Creek Nation.

That your applicant is now the lawful hus-  
band of said citizen, ~~and he is entitled to~~  
~~his marriage license issued by the clerk of the~~  
~~United States court, and in the~~  
~~presence of this applicant.~~

That there has been born as the issue of said  
marriage one child who is enrolled and recog-  
nized as a citizen of said Creek Nation.

That by virtue of the marriage of your applicant  
to the above named Creek citizen, and the  
Treaties between the United States and said  
Creek Nation, and the laws and usages of the  
Creek tribe of Indians, he became a citizen as  
member of said Creek Nation at the time  
of said marriage.

That he was at the time of said marriage

a citizen of the United States.

That while his right to reside in said Nation has never been denied or objected to yet he has never been placed on the rolls of said Nation, nor has he ever been permitted to participate in the annuities and payments distributed among the members of said Nation.

Wherefore he prays that he may be admitted and enrolled as a citizen of said Nation.

John L. Sieber says that the statements of the foregoing application are true. John L. Sieber subscribed and sworn to before me this 21<sup>st</sup> day of August 1896

W. S. Wolfenberger,  
Notary Public.

#No 741 12  
Case of  
John L. Sieber  
for citizenship in the  
Creek Nation

Filed Sept 2-1896  
A S McKinnon  
Clerk

Replied

Filed by Sieber  
Nelson & Sieber  
Attys at Law.  
Muskegon  
I. T.



Prima facie,  
a "Gentleman"

believe in the right of the defendant

1. The only thing that has not been said is the only  
defendant's name

and the only thing that has not been said is the only  
defendant's name

which

the defendant's name is the only thing that has not been said  
is the only thing that has not been said

FILED OCT. 2, 1906  
A.S. MCKINNEY, V.

in this case is a white man and a citizen of the United States  
I. Come the only defendant and the only thing that has not been said

The Greek nation, the defendant

as a person to be admitted

John G. Taylor, a white man, the defendant

before the House Committee, United States Congress



Before the Dawes Commission, Vinita Indian Territory.  
John G. Lieber, a white man,----- Plaintiff.  
VS. ( Petition to be enrolled.  
The Creek Nation,----- Defendant.

1. Comes the said defendant and says that the said plaintiff in this case is a white man and a citizen of the United States and claims the right to be enrolled as a citizen of the Creek Nation because of the inter-marriage with a Creek woman, a native citizen thereof. The said defendant avers and says that the said plaintiff is not entitled to be enrolled because said plaintiff did not by such marriage become a citizen of the Creek Nation under the laws, usages and customs of said Nation and of the Treaties between defendant and the United States.

2. The defendant further says that the plaintiff does not state facts in his said petition and affidavit thereto attached sufficient to entitle him to be enrolled as a citizen of the said defendant Nation.

3. The said plaintiff has not filed with his said petition evidence of his said inter-marriage.

4. The Creek Nation denies the same and offers to the Commission S. F. Callahan,

Bunny McIntosh,

Ren. T. Duval,  
Attorneys for deft'.

*Bunny McIntosh*

says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

sworn to and subscribed before me this 22<sup>nd</sup> day of October 1906

*Ans. M. Rogers*

Notary Public

in and for the Territory of Oklahoma

**End**

CR 93

Indian Territory

Personally appeared before me  
Pearl Eddleman a Notary Public  
of the United States Court for the  
Northern District of the Indian  
Territory, John Wesley Lowe  
who states on oath that he  
was personally acquainted  
with Lemon Martin & Luanna  
Lowe, and that they were both  
full blood Muscogee or Creek  
Indians, and residents and  
citizens of said nation and  
that they ~~had~~ <sup>said</sup> ~~had~~ <sup>Lemon Martin</sup> recently depar-  
ted this life. John Wesley Lowe  
knows to and subscribed before me  
September 1st 1896,

Pearl Eddleman.

Notary Public.

Commission expires January 15, 1899.

about one inch the other side of the line.

I do hereby certify that the  
above is a true copy of the Declaration  
given to the Committee on Citizenship  
of which I am a Clerk.

J. V. Fisher

Martin Seligman



Opmugge Ind Per  
Oct 12<sup>th</sup> 1894  
Testamones of Lehem Martie

Do you think you  
know that man by the name of Tom  
Lowe?

Yes I think I know him. Is He Citizen  
of the Muskogee Nation?

He is or descended from the Muskogees.  
What Town does he belong?

He used to belong to Duke butchers town  
in old Nation.

How old is He?

I couldnt tell his age very well. but  
He was so high.

Do you know His Mother?

Yes I know her name Her name was  
Jimmie.

How long has he been in the Creek Nation?

I dont know how long he has been  
in the Nation.

His mother was an Indian, and his <sup>father</sup> is the  
father was a white man. And his <sup>son</sup> <sup>son</sup> <sup>son</sup>

You said you knew Jimmie well. And Her  
sister was named by Hannah? Yes Sir.

How were her Brothers?

Tom Lowe. J Walker Tom Lows mother  
over

was the same mother to Loumanas.

What became of Hannah Lume?

She came to this Nation. and died.

Do you know any decedents of Lums  
living now?

Yes I know them well.

Where does he live?

He lives close to Saminall Chief.

About one mile the other side of the line.

I do hereby certify that the  
above is a true copy of the testimony  
given to the Committee on Citizenship  
of which I am the Clerk.

J. V. Fierha

Martin Robinson

Louanna Lane

Okmulgee Ind Ter  
Oct 12<sup>th</sup> 1894

Testamonic of Louanna Lowe.

Do you know Sam Lowe?

Yes I know him.

You said you know this man. is he a  
Citizen of the Creek Nation? Yes He is.  
What town does he belong?

He belongs to Luke Butcher town.

Do you think he is a son of Luke Butcher  
Woman? What was his mothers name?

Her name was Jimmie Lowe. His Mother  
was an Indian and his Father was a  
White Man. He is my Mothers sisters son.  
Has he got any kindred in the Luke Butcher  
town? My Mother told me, that his sister  
was married to a white man, and she  
didn't come when we left the old Nation.  
And said some day they will be here. claim-  
ing that they are Citizens of the Nation.

~~And I think that he is my brother in fact.~~

I do hereby certify that the above is  
a true copy of the Testamonic given to the  
Committee on citizenship.

of which I am the clerk

J. V. Fircha

\* "cousin" - the Indian uses brother for Cousin  
here.



Okmulgee Ind Ter  
Oct 14<sup>th</sup> 1891

To the Hon Council  
of the Muskogee Nation  
We as your

Committee on citizenship  
submit to you our report on the  
Application of Samuel Lane and ~~his~~  
his children Jacob Lane Mary E. Lane  
E. E. Lane J. W. Lane S. F. Lane H. J. Lane  
Ed Lane Emma Lane.

Which was referred to us for  
investigation for citizenship.

We find by evidence and testimony  
without any good reasonable ground for  
doubt that they above applicants  
belong to the batches town of the  
Creek Nation.

and that the claims set in their application  
for citizenship are true.

and that they are Muskogee Indians  
by blood.

We therefore recommend them to be  
accepted as citizens of the Creek Nation

Yours Respectfully  
John Wesley

J. V. Simha } Chairman of  
Ck. } the committee.



Be it enacted by the National Council  
of the Muskogean Nations, That these applicants  
are hereby a dept. as citizens of the  
Muskogean Nations.

I hereby certify that the within is  
a true Copy of the report made by  
the Committee on Citizenship

J. W. F. F. F.  
Chk. of Committee

1870  
1871

Statement of } Okmulgee Ind Pen  
Saw Lawe } Oct 13<sup>th</sup> 1894

Testimonie of Saw Lawe

For what Cause are you here before  
the Council?

I am here to prove my right my mother  
was an Indian

What town did she belong to?

She belong to Tule Creek Paws.

You state there, that your mother was left  
in Alabama when the Creek people came  
into this country. How old and how  
big was you, when they left there?

I was quite small.

What did you say your mother's name?

Her name was Jimmie.

How long ~~since~~ have you been into this country?

I dont know long I have been in the Creek Nation  
but I think it about two years.

Did you find your friends in the Creek  
Nation, when you came in the Nation?

Yes I find that Lawe Louanna Lawe, and  
Sue Lawe, Walker Lawe

What was your Father white or Creek?

is white man.

Have you got any children? yes.

are they living? yes sir, every one of them  
living

POOR ORIGINAL -  
BEST AVAILABLE COPY

I have eight children, one is cripple.  
Their names are Jacob Andrew  
E. E. Lawe M. E. J. W. H. S. Emma, Edward.  
Frank S. Jack Lawe Frank S. Lawe J. H. Lawe  
and Sam Lawe, are here

I do hereby certify that the above  
is a true copy of the testimony given  
to the Committee on Citizenship  
of which I am the clerk.  
J. V. Fircha



93

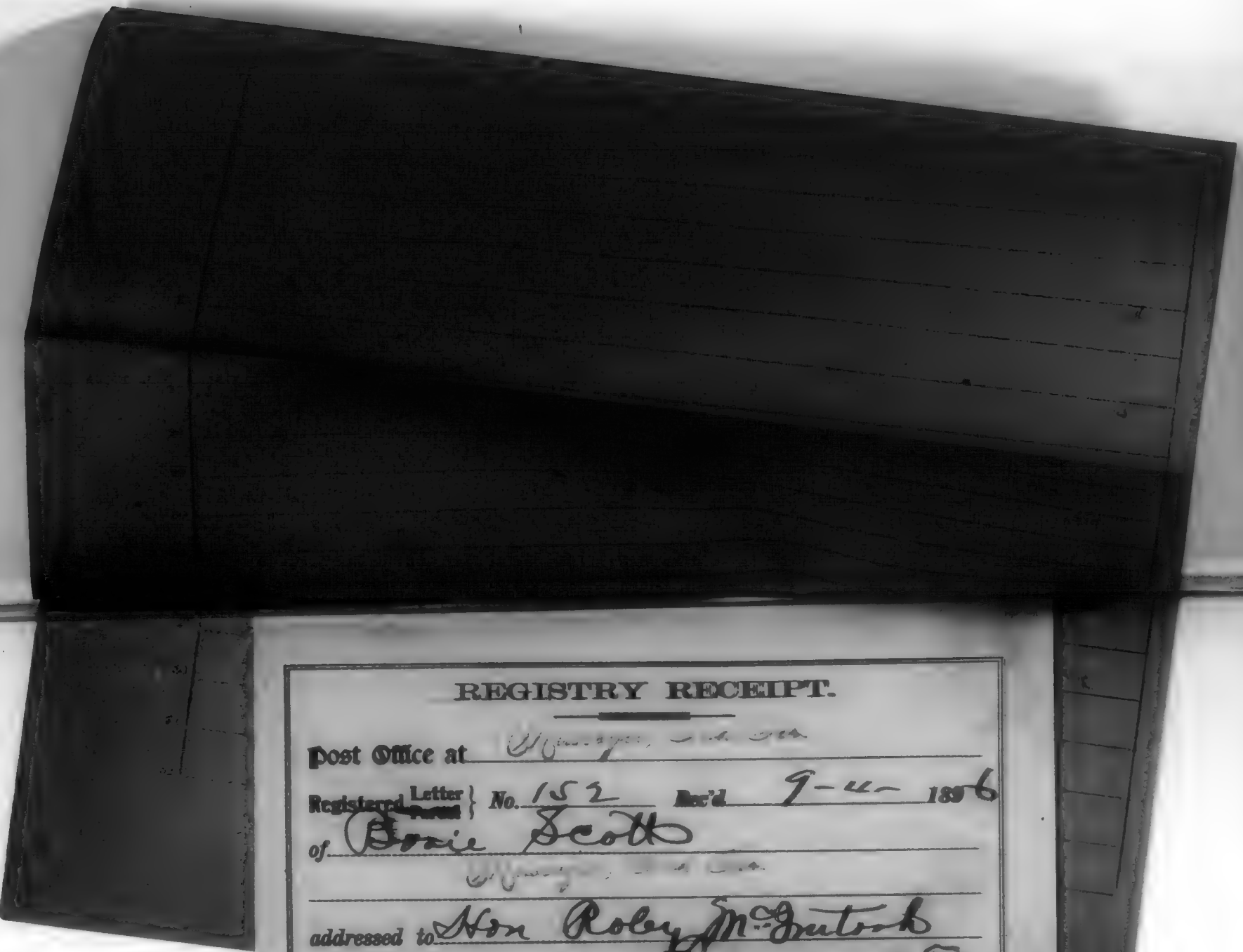
John D. Hay  
or  
Grub Station

Faded Sep. 1876  
Grub Station.

Up. - - - - -

Sept 25  
I, Scott J. Jones  
do solemnly swear that on the  
24th day of September 1896, I was  
employed as registered clerk in the  
Post Office at Muscogee to  
administer to John Nicholas  
James Smith and acting principal  
agent of the Muscogee Nation  
in the State of Oklahoma, that he  
has been a member of the  
Grand Jurors of the  
County of Muskogee and a member of  
the Grand Jury which contained  
himself of the application  
of John Wesley Lowe and of the  
application of John Wesley Lowe  
Edson Martin, George Lowe, and  
affidavit of Sam Lowe, and the  
report made by the Citizenship  
Committee of the Muscogee Nation  
on said application in support  
of said application  
I have read and sworn to  
before me on this the 24th day  
of Sept 1896,  
J. H. E.  
Notary Public.

POOR ORIGINAL -  
BEST AVAILABLE COPY



**REGISTRY RECEIPT.**

Post Office at New York, N.Y.

Registered Letter } No. 152 Rec'd 9-4-1896  
of Bowie Scott

addressed to Hon Robt M. Ginter  
Bufaula 25,  
F.M. Bureau O.M. P.M.

Application for Enrollment to  
Citizenship Creek Nation

To the Hon Henry L Dawes  
Genl Frank C Armstrong  
Hon Archibald McKenyon  
Hon Thos B Cabaniss and  
Hon Alexander B Montgomery  
United States Commissioners duly  
authorized by an act of Congress  
of June 4th 1896, to hear and  
determine claims for citizenship  
in the Creek or Muscogee Nation

The petition of John Wesley  
Lowe for himself and for his  
children Flora Lowe a minor  
ten years of age, Sidney L Lowe  
a minor six years old, and for  
his father Samuel Lowe, and for  
his brother Jacob A Lowe, and for  
his brother Samuel F Lowe and  
his son Louis Lowe, and for his  
brother Ephraim C Lowe and  
his daughter a minor aged  
12 years named Gertrude and  
Olie, a minor daughter aged  
11 years, and his daughter Emma  
a minor aged 8 years, and Edwin  
C a minor son aged 4 years  
and an infant less than one year  
old a son named - makes this  
application to your honorable  
body for the Enrollment of  
himself and each and everyone



of the persons herein before named  
on the Revised Roll of the  
Muscogee or Creek Indians  
and of those entitled to share  
in the distribution of funds  
and allotment of lands in the  
Muscogee or Creek Nation by  
virtue of their Muscogee or Creek  
Indian blood and herewith is  
respectfully submitted the  
proofs by affidavits of the  
persons named therein in  
support of this application  
And this applicant who petitions  
in behalf of himself and the  
other persons herein named, states  
that he has had prepared and  
will duly file with the principal  
chief of the Muscogee or Creek  
Nation authenticated copies  
of this petition, the affidavits  
and other proofs herewith filed  
as exhibits hereto.

Petitioner states that he and his  
brothers herein mentioned are  
the children of Samuel Lowe, and  
their respective children herein  
named are their lawful children  
born each and all in lawful  
wedlock. That Samuel Lowe is  
the son of Jennie Lowe who was



18-46 13  
No ~~1142~~

John Wesley Lowe  
application for  
Enrollment in  
the Muscogee or  
Creek Nation.

To the  
Dawes Commission

Filed Sept 5-1896

A.S. McKinnon  
Comm

Rejected

Muscogee  
L.T.

a full blood Indian of the Muscogee  
or Creek tribe, and who belonged  
to the Tukabatchee Town of the  
old Nation, that all the persons  
mentioned in this application  
for enrollment on the citizenship  
roll of the Creek or Muscogee nation  
are lineal descendants of the  
said Jennie Lowe the full blood  
Muscogee or Creek Indian  
who belonged to the Tukabatchee  
town, and as such they submit  
that they are justly entitled  
to enrollment as citizens  
of the tribe by blood. Wherefore  
they submit their application  
and ask that the same be duly  
considered, and their prayer granted  
and petitioner for himself and  
for all those herein mentioned  
in whose behalf he petitions, begs  
the honorable Commission for  
such other general & special  
relief as the nature of their case  
may demand and as the law will  
sanction and as in duty bound  
petitioner & petitioners will  
ever pray. John Wesley Lowe  
Sworn to and subscribed before me on this  
the 1<sup>st</sup> day of September 1896

Pearl Eddleman.

Commission expires January 15, 1897.

Notary Public,

Before the Daves Commission, Vinita, Indian Territory.

John Wesley Lowe, :  
and ten others. :-----Plaintiff.

VS. ( Answer.

The Creek Nation, :-----Defendant.

The defendant for answer says: That the said applicant in behalf of himself and others, members of his family, applies for citizenship in the defendant Nation on account of blood.

He does not state in his said application the degree of Indian blood he and they have in their veins; and does not state when he came into the limits of this Nation or where he now resides the only proof the applicant produces is the transcript of the evidence taken before the Committee on Citizenship, on October 13 1894. The said Samuel Lowe, father of the applicant, testifies that his mother was left in Alabama when the Creek people came to this country and that he had been then in this country about two years; that his father was a white man. The Committee recommended the adoption of the said Samuel Lowe and his children among whom was the applicant in this case, in fact the applicants here were in part applicants in that case, should be adopted as citizens but the Council refused to adopt them as citizens and they now come here asking this Hon. Commission to reverse the decision of the Council without introducing any additional evidence, or showing that the Council act in good faith.

The defendant says: That the applicants are not entitled to citizenship for these reasons: First, because the Council of this Nation has refused it upon the same testimony relied on here and the question is res judicata.

THE COURT OF THE DISTRICT OF COLUMBIA

IN SENATE CHAMBER, DISTRICT OF COLUMBIA

1911

WITNESSETH THAT

WILLIAM H. HARRIS

DO hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Court.

WILLIAM H. HARRIS, Clerk of the Court.

Attest my hand and seal of office this 1st day of January, 1911.



Second, Because the applicant does not show by a disinterested native witness the degree of Indian blood he has in his veins.

Third, Because he does not show when he came to this country or is residing here now.

Wherefore defendant says the said petition should be dismissed

S. F. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*James H. McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 22 day of Oct 1896.

*Notary and land and private acts having in file 2531*  
*and Mr. Rogers*

*my Comm. Exp. 1-1-1900*



**End**

CR 94

No ~~177~~ 2009

Petition of 74

Dora Lowe

<sup>17</sup>  
Creek  
~~Cherokee~~ Nation

Filed Sept 7/1896

A S McKinnon  
Comm

Application & children  
granted entry into the

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALDXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner *Dora Reed, formerly Dora Reed, and daughter of Dora Reed a Creek Indian by blood.* for and on behalf of *said Dora Reed, and her husband Henry Lowe* and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of *Creek* Indians and of those entitled to share in the distribution of funds and allotments of land in *Creek* Nation, by virtue of their *Creek* blood, and I herewith submit the *I claim my Indian blood from my father Dora Reed who was a full blood Creek Indian and lived in Creek Nation, and moved from one Nation to another.* Applicant is 37 years of age and has lived in Choctaw and Chickasaw Nations since birth. Her post office is Center, Ind. Ter. *Dora Reed is now deceased* in support of said claim, and respectfully await the time when *her* application shall be heard and tried.

Attest *D. Williams*

Respectfully Submitted,  
*Dora Reed*  
*her*  
*husband*

Enrollment of family, with relationship attached, as follows:

| NAMES.            | AGE.       | RELATIONSHIP. |
|-------------------|------------|---------------|
| <i>Henry Lowe</i> | <i>100</i> | <i>11</i>     |

*Indian Territory*  
*Southern District* } *I E. G. Williams do solemnly swear that on the 3<sup>rd</sup> day of September 1896 I saw a package registered at the post office at Wynnewood Ind. Ter., addressed to the Governor or Chief of the Creek Nation, Okmulgee, Ind Ter, that regularly receipt No. , hereto attached is a receipt for said package, which contained true copies of the application of Dora Lowe and of the affidavits of Mary Ransom and Henry Ransom in support of same.*

*E. G. Williams*  
*Subscribed and sworn to before me this 3<sup>rd</sup> day September 1896*  
*David Williams*  
*Notary Public*



GENTLEMEN: The undersigned, your petitioner, Dorothy A. Reed, formerly Dora Reed, and daughter of Frank Reed a Cherokee Indian by blood, for and on behalf of said Dorothy A. Reed and her husband Henry Love and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in the Cherokee Nation, by virtue of their Cherokee blood, and therewith submit the claim of said Indian blood from my father Frank Reed who was a full blood Creek Indian and lived in Creek Nation, and moved from one Nation to another. Applicant is 37 years of age and has lived in Cherokee and Chickasaw Nations since birth. Her last office is Center, Ind. Ter. Henry Reed who was supposed to be dead in support of said claim, and respectfully await the time when her application shall be heard and tried.

Respectfully Submitted,

Respectfully Submitted,  
Dora <sup>her</sup> + Lorne  
maise

Enrollment of family, with relationship attached, as follows:

| NAMES.       | AGE.     | RELATIONSHIP.   |
|--------------|----------|-----------------|
| Henry Lowe   | 40       | Husband         |
| Noba Lowe    | 22       | Female Daughter |
| Georgia Lowe | 19       | " "             |
| Lee Lowe     | 16       | Male Son        |
| Mattie Lowe  | 14       | Daughter        |
| Mollie Lowe  | 12       | "               |
| Henry Lowe   | 10       | Son             |
| Elsie Lowe   | 8        | Daughter        |
| Callie Lowe  | 5        | "               |
| Jody Lowe    | 4        | Son             |
| Minnie Lowe  | 2        | Daughter        |
| Bettie Lowe  | 7 months | "               |

In witness of which I hereunto set my hand on this 12 day August 1898

and on this day August 1896  
Dora X Lowe  
maiden  
Post office Center  
Ind Per

Indian Territory } SS  
Southern Division } Now on this 12<sup>th</sup> day of  
August 1896 personally appeared before me  
David Williams a Notary Public in and for said  
said Southern Division, Indian Territory  
Dora Lowe who being duly sworn upon her  
oath states that the facts set forth in the  
foregoing petition are correct and true.

Subscribed and sworn to before me

This 12<sup>th</sup> day of August 1896. That a duplicate  
of these papers were sent to the Governor of Creek Nation  
Commission Expires      David Williams  
Nov 18 1898      Notary Public



No. \_\_\_\_\_

PETITION OF

*Dora Lowe*

• for and on behalf of

and heirs

~~*Hubert A. Sealow*~~  
~~*and wife*~~

Attorney for Petitioner.

Indian Territory 285

Southern District } Be it remembered that on this  
12<sup>th</sup> day of August 1896 personally appeared before me  
Mary Ransom a resident of the Chickasaw Nation  
Indian Territory, who is reliable and creditable  
resident of above Nation and Territory and who  
after being duly sworn according to law deposes  
and says: that she is a resident of the Chickasaw Nation  
Indian Territory, that her age is 51 years, her past  
office Wynnewood, Ind Ter. occupation farming,  
that she is personally and well acquainted with Dora  
Lowe, that said Dora Lowe, ~~that said Dora Lowe~~ is the  
daughter of one Dick Reed, who was a full blood Creek  
Indian and lived in the Creek Nation, <sup>and moved from</sup>  
~~there to Choctaw Nation~~ That said Dick  
Reed was of a wandering disposition and moved about  
from one Nation to another. That I have known said  
Dora Lowe ever since her birth, and know that she  
is the person she represents herself to be. That said  
she Dora (Reed) Lowe, married a man named  
Henry Lowe, with who she is now living as his  
wife, that said Dora Lowe has lived in the  
Chickasaw Nation for a number of years and  
is still living here. I knew Dick Reed from  
his boyhood to time of his death  
attest D Williams  
Mary Ransom

Subscribed and sworn to before  
me this 12 day of August 1896

Commission expires

Nov 19 1898

Dan d Williams

Notary Public

Indian Territory }  
Southern District }

Be it remembered that on the 12<sup>th</sup>  
day of August 1896 personally appeared before me Henry  
Ransom a resident of the Chickasaw Nation Indian a man a  
reliable and creditable resident of said Nation and  
Territory and who after being duly sworn according to  
law, deposes and says: That he is a resident of Lubbock  
County, Chickasaw Nation, Indian Territory, that he is 36 years  
his post office is Wynnewood, Ind. T. occupation a  
farmer. That he is personally and well acquainted  
with Dora Lowe, that said Dora Lowe was the  
daughter of one Dick Reed who was a full blood  
Creek Indian, and was so recognized by the Creek  
and Choctaw Indians, that I was personally and  
well acquainted with said Dick Reed and his  
family. That I have known said Dora Lowe ever  
since her birth and know her to be the person she  
represents herself to be. That said Dora (Reed)  
Lowe married a man named Henry Lowe  
with whom she has lived since marriage.

Attest D. Williams.

Henry Ransom  
man

Subscribed and sworn to before  
me this 12<sup>th</sup> day of August 1896

Commissioner

David Williams

expires Nov 19 1898

Notary Public

Before the Dawes Commission, Vinita, Indian Territory.

Dora Lowe, and :  
husband and ten :  
children. :  
Vs. ( Answer. :  
The Creek Nation, : Defendant.

The defendant says: That the said plaintiff shows in her petition that she was born and has lived all her life in the Choctaw and Chickasaw Nations and has never resided in the jurisdictional limits of the Creek Nation nor heretofore made application for citizenship herein.

That the witnesses, Mary Panson and Henry Panson whose affidavit she relies upon to support her application are not native of this Nation and are disqualified under the laws of this Nation to prove the petitioners right to citizenship by blood, and the defendant says that the facts stated in said application and affidavits in support thereof show the applicant to be an Alien under the laws of the Creek Nation and not entitled to citizenship in this Nation, or to any of the privileges thereof.

S. B. Callahan,

Henry McIntosh,  
Attorneys for defendant.

Bernie M. McIntosh says that he believes the matters and things set forth in the foregoing answer to be true.

*Bernie M. McIntosh*

Sworn to and subscribed before me this 10th day of June, 1906.

Witness my hand and official seal at Vinita, Indian Territory, this 10th day of June, 1906.

*My Comm. Expires Dec 31, 1906*







**End**

OK 95



88

BEFORE THE DAWES COMMISSION, VINITA, INDIAN TERRITORY.

Ketch Loren,----- Plaintiff,  
vs. ( Petition to be enrolled as citizen.  
The Creek Nation,----- Defendant.

The defendant for answer says: That it appears on the face of plaintiffs petition that he is a person of African descent and did not come into this Nation until 1880, and does not show that he is entitled to enrollment as a citizen under the provisions of the Second Article of the Treaty of 1866.

2. Defendant denies that plaintiff came into this Nation in 1880 or at any other time and resided therein with the consent of this defendant under and by virtue of an Act of the Creek Council passed in 1881 or at any other time. This defendant denies that any such act was ever passed by the Creek Council.

3. The defendant denies that the ~~Creek~~ plaintiff is the lawful husband of a Creek citizen, and if he is such husband he is not entitled, by virtue thereof, to enrollment as a Creek citizen.

S. E. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bunnie McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunnie McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896.

*Noted my hand and seal as notary public for the Creek Nation, Oklahoma Territory, this 22<sup>nd</sup> day of October, 1896.*

*Notary Public*

and Sarah Davis, all of whom are now residing in the Greek Nation.  
Flora Franklin  
make

W. E. H. H. H.

Notch Town

Subscribed and sworn to before me this 31<sup>st</sup> day of August 1896  
John L. Fisher  
Notary Public

9  
A. S. MCKENNON  
COM 'R'



Chicoteah - 7<sup>th</sup> Sept 1890  
Received of Netch Lora on the 7<sup>th</sup> day  
of Sept. 1890 per his Attorney, Nelson  
copy of application & evidence  
in Case # 728 of Netch Lora  
for citizenship in the County of Nelson  
County, N. Dakota  
Atty in Charge, Nelson, N. Dakota.  
By J. B. Callahan  
Print Secy

Indian Territory. Northern District S.S.

In the matter of the application of  
Ketch Loren for citizenship in  
the Creek Nation.

On this 31<sup>st</sup> day of August 1896 personally  
appeared before me a Notary Public within  
and for the above named District Flora Franklin  
aged about 65 years whose P.O. address is Lee

Ind. Ter., who after being duly sworn declares  
in relation to aforesaid claims follows:

That she is of African descent and was brought  
to the Creek Nation from Alabama as a slave but  
she was taken from the Creek Nation by her master  
James M. Daniel sometime before the late war  
and that she returned to said Nation in the year  
1880 and has resided therein ever since.

That affiant is the daughter of Monday Durant  
who was of African descent and an enrolled and  
recognized citizen of the Creek Nation under  
the Treaty of 1866 between the United States and  
said Creek Nation. That affiant is the mother  
of Ketch Loren, the above named applicant who  
was born in lawful wedlock and who has  
resided in the Creek Nation since the year 1880  
and is now residing on his own place in said  
Nation, the said Ketch Loren being permitted  
to reside in said Creek Nation and own a home  
therein, under act of the Creek Council  
passed in 1881 or '82.

That said Monday Durant was a member of the  
Creek Council and also Town King of one of the  
colored towns. That affiant's former husband  
Willis Laren and said Ketch Laren have been  
required to work the roads by the Creek Nation  
as citizens thereof. That said Monday Durant  
died about 1888 in the Creek Nation. That affiant  
is the mother of four other children as follows:-  
Jane Roberts, Paralee Mullen, Marinda Humphrey  
and Sarah Parish, all of whom are now resid-  
ing in the Creek Nation.

Test X Franklin

A. E. W. Durant  
Ketch Laren

Subscribed and sworn to before me this 31<sup>st</sup>  
day of August 1896 John E. Luber  
Notary Public

9  
A. S. MCKENNON  
COM 'R' F

# No 728  
Case of  
Hetch Loren  
for citizenship in the  
Creek Nation

Filed Sept 3-1894  
A. S. McKinnon  
Clerk

Register

Filed by  
Nelson & Fisher  
Attys at Law  
Muskegon  
Ind. Ter.

Creek Nation.  
Hetch Loren  
Subscribed and sworn to before me this 3rd  
day of August 1894  
John L. Fisher  
Notary Public



Before the Honorable Dawes Commission.

Application of Ketch Loren for citizenship  
in the Creek Nation.

Comes now Ketch Loren and declares his  
right to citizenship in the Creek Nation  
by virtue of the following facts-wit:

That he is of African descent and has re-  
sided in the Creek Nation since 1880 with  
the consent of said Nation under and by  
virtue of an act of the Creek Council passed  
in 1881 as &c.

That he is a grand son of Monday Durant  
who was a recognized and enrolled citizen of the  
Creek Nation under the Treaty of 1866 between  
the United States and said Creek Nation, until  
his death about 8 years ago

That his mother was Flora Loren now Flora  
Franklin, a daughter of Monday Durant and  
Jane his lawful wife.

That his wife Polly Loren is a recognized cit-  
izen of the Creek Nation.

That your applicant and his mother now Flora  
Franklin have always been permitted by the  
Creek authorities to enjoy the privileges of Creek  
citizens in every respect, except to draw  
money, they having built homes and lived  
in said Nation without interruption since 1880

That he claims also the right to become en-  
rolled as the husband of said Polly Loren a



Creek citizen to whom he was lawfully married  
by J. J. Moore a Baptist minister in Jan 1895,  
in the town of Muscogee Ind. Ter.

That for further proof regarding his claims  
he refers to the application of his mother  
now Clara Franklin filed before this  
commission.

Wherefore he prays that he may be ad-  
mitted and enrolled as a citizen of said  
Creek Nation.

Ketch Loren

Subscribed and sworn to before me this 31<sup>st</sup>  
day of August 1896

John L. Loebe  
Notary Public

# No 728  
Case of  
Ketch Loren  
for citizenship in the  
Creek Nation

Filed Sept 8-1896

A. S. McKenney

Clerk

Registered

Filed by  
Wilson & Co.  
Attys at Law  
Muscogee  
Ind. Ter.

**End**

CR 96

To The Honorable Dawes Commission  
on Citizenship in the Five Civilized Tribes  
of Indians in the Indian Territory.

Your petitioner, Charles E. [unclear]  
undesignated, respectfully states  
that he is a member of the  
Creek Tribe of Indians, and a  
Citizen of the Creek Nation in the  
Indian Territory, by right of  
marriage, and asks to be enrolled  
as such. That he is a white  
man and has been a resident  
of the Creek Nation in the Indian  
Territory for about (12) years.  
That on the 28<sup>th</sup> of September A.D. 1845  
he was married to Martha Parkinson  
a member of the said Creek Tribe  
of Indians by blood. That since  
his marriage to the said  
Martha Parkinson he has been rec-  
ognized by the Tribal authorities  
of the said Creek Nation, as a mem-  
ber of the Creek Tribe of Indians, and  
a citizen of the said Creek Nation.  
Your petitioner states the above  
facts as the lawful grounds of  
his application for citizenship.

in the said Creek Nation, and  
prays that his claim may re-  
ceive due consideration by your  
Honorable Commission, and that  
his name be enrolled on <sup>Tulsa Agency Town Rolls of</sup> the  
Creek Relinquishment rolls, as a mem-  
ber of the Creek Tribe of Indians,  
in the Indian Territory.  
Witness my hand this  
day of September 1896.

Charles E. Myers      Petitioner

Subscribed and sworn to  
before me this 9th day of  
September 1896  
Fred A. Parkinson  
Notary Public



United States of America  
Creek Nation  
Indian Territory

On the 9<sup>th</sup> day of September  
A.D. 1896. personally appeared before  
me the undersigned authority,  
W. H. Shields who being duly  
sworn by me, deposes and says  
and says that he is Manager  
of F. B. Siver Horse Ranch, and  
located near Okmulgee, Okla.  
That his Post Office Address is  
Okmulgee, Okla.

That on the 28<sup>th</sup> day of September  
A.D. 1893, he was present and wit-  
nessed the Marriage ceremonies  
of Charlie Meyers a white man to  
Martha Parkinson a Creek Indian,  
and knows that the said Charlie  
Meyers has been recognized as a  
Creek citizen by marriage since  
he was married to the said  
Martha Parkinson.

W. H. Shields.

Subscribed and sworn to  
before me this 9<sup>th</sup> day of  
September 1896.

Fred A. Parkinson  
Notary Public

6891

Case, No. 7.

In the matter of  
the claim of  
Charles C. Neysen  
to citizenship in  
the Over Nation

and

The affidavits of  
J. Shields and  
W. Shields in  
support of  
same

FILED SEPT. 9 1890

A. S. MCKENNON

COM'R

Repealed

Chancellor

United States of America /  
Creek Nation  
Indian Territory )<sup>25</sup>

On this 9<sup>th</sup> day of Sep-  
tember A.D. 1896. personally ap-  
peared before me the undersigned  
authority, Charlie J. Shields who be-  
ing duly sworn by me, deposes  
and says, that he is a white man  
and is the manager and Book-  
keeper in Store at Ok-  
mulgee, Ok.

That his Post Office address is  
Okmulgee Ind. Ter.

That on the 28<sup>th</sup> day of September  
A.D. 1893, he was present and wit-  
nessed the Marriage ceremony  
of Charles E. Myers, a white man  
to Martha Parkinson, a Creek Indian,  
and knows that the said Charles E.  
Myers, been recognized as a Creek  
Citizen by marriage since he was  
married to the said Martha Parkinson

Charles J. Shields  
Subscribed and sworn to  
before me this 9<sup>th</sup> day of  
September 1896

Thos A. Parkinson  
Notary Public





Before the Daves Commission, Vinita Indian Territory.

Charles E. Meyers,----- Plaintiff,

VS. ( Petition to be enrolled.

The Creek Nation,----- Defendant.

1. Comes the said defendant and says that the said plaintiff in this case is a White man and a citizen of the United States and claims the right to be enrolled as a citizen of the Creek Nation because of the inter-marriage with a Creek woman, a native citizen thereof. The said defendant avers and says that the said plaintiff is not entitled to enrollment because said plaintiff did not by such marriage become a citizen of the Creek Nation under the laws, customs and usages of said Nation and of the Treaties between defendant and the United States.

2. The defendant further says that the plaintiff does not state facts in his said petition and affidavits thereto attached sufficient to entitle him to be enrolled as a citizen of the said defendant Nation.

3. The said plaintiff has not filed with his said petition evidence of his inter-marriage.

C. P. Callahan,

Harry McIntosh,

Ben T. Dyer,

Attorneys for def't.

*Bennie McIntosh*  
says that he believes the matters and things set forth in the foregoing answer to be true.

Sworn to and subscribed before me this 2nd day of October, 1898

*Bennie McIntosh*

*and in presence of*



**End**

CR 97

CHURCH MEMBERS  
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BEFORE THE DAVIS COMMISSION, VINNIE, INDIAN TERRITORY.

James McCulloch, for and :  
on behalf of Mary M. Mc. : ----- Plaintiff.  
Culloch & her children :

VS. ( Application for citizenship.

The Creek Nation,-----Defendant.

The defendant says: That the said Mary M. McCulloch is shown by the allegations in her said petition to be 29 years of age; that she, her mother and her ~~children~~ ancestors were born beyond the limits of the Indian Territory and have continuously and still reside outside of the jurisdictional limits of the Muskogee Nation and have never heretofore made application for citizenship and ~~is~~ not entitled to citizenship or any of the privileges of said Nation.

2. That the said Mary M. McCulloch is a white woman by blood. That her witnesses, Elizabeth McIntosh, Morning Clark and Eliza Robertson are not disinterested ~~native~~ witnesses and their statements are wholly hearsay and inadmissible.

S. B. Callahan,  
Bunny McIntosh,  
Ben T. DuVal,  
Attorneys for defendant.

says that he believes the matters and things set forth in the foregoing answer to be true.

*Bennie M. McIntosh*

Sworn to and subscribed before me this 22 day of Dec 1890.

*John H. Rogers*  
72

---

No

PETITION OF

for and on behalf of

and heirs

*Hubbard Garlin  
& J. W. Matthews*

Attorney for Petitioner.

---



# APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the ~~Creek~~ Nation:

GENTLEMEN: The undersigned, your petitioner, *James A. McCullah* for and on behalf of *Mary M. McCullah* and heirs, this day makes this application to you for the purpose of being placed on the revised roll of ~~Creek~~ Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood and herewith submit the *Mary M. McCullah is daughter of Elizabeth Mowbray, who was the daughter of Polly Ann Miller who was the daughter of Manning Lantry who resided and died in Shelby Co. Ala.*

in support of said claim, and respectfully await the time when *this* application shall be heard and tried.

Respectfully Submitted,

*James A. McCullah*

Enrollment of family, with relationship attached, as follows:

*Jane & McCullah*

| NAMES.                   | AGE.      | RELATIONSHIP.          |
|--------------------------|-----------|------------------------|
| <i>James A. McCullah</i> | <i>34</i> | <i>Husband</i>         |
| <i>Ida McCullah</i>      | <i>13</i> | <i>the daughter of</i> |
| <i>Etha " "</i>          | <i>11</i> | <i>" " "</i>           |
| <i>Hattie " "</i>        | <i>9</i>  | <i>" " "</i>           |
| <i>Elmer " "</i>         | <i>7</i>  | <i>" Son "</i>         |
| <i>Clarence " "</i>      | <i>5</i>  | <i>" " "</i>           |
| <i>Mary M. McCullah</i>  | <i>29</i> | <i>Claimant</i>        |

In witness of which I hereunto set my hand on this *5* day *Sept* 1896

*A. J. Carroll N.P.*

*Came Office 27 day Nov 1898*

State of Arkansas }  
County of Logan }  
200

On the matter of Mary M. McCallish  
Application for Enrolment  
On the 5 day of Sept 1891 personally ap-  
peared before me, a Justice of the Peace  
for the said County, duly sworn to  
administer oaths, Elizabeth Robertson aged  
65 years a resident of Ark in the County of  
Scott State of Arkansas, who has the  
address is Ark Arkansas

Martin Clark aged 62 years, a resident of  
Many Logan County Arkansas whose  
Post office address is Many Arkansas  
Elizabeth Robertson aged 67 years resident of  
Bata Post office Scott County Arkansas well known  
to me but I believe them to be reliable  
and entitled to credit and who being  
duly sworn, by me declared in relation  
to the aforesaid case as follows:

Elizabeth Robertson says she is acquainted  
with the Gentry family referred to in application  
of aforesaid Mary M. McCallish's application  
for Enrolment. And has known him from her  
earliest recollection. That Martin Gentry was  
known and recognized to be a Creek  
Indian that she resided and died in

what is now known as Shelby Co. in the State of Alabama.

Morning Clark states that she was acquainted with the Gentry family from her earliest recollection that she found Morning Gentry who resided and died in what is now known as Shelby Co. in the State of Alabama that the said Morning Gentry was recognized as a Creek Indian.

Elisha Robertson says he was acquainted with the Gentry family who resided in Shelby Co. Alabama that they resembled or looked like Indians and were so recognized by the people who knew them.

attest N.E. Carolan  
J. H. Eche

Elizabeth <sup>Clark</sup> ~~McCluskey~~

Morning <sup>Clark</sup> ~~Clark~~  
Elisha Robertson

Sworn and Subscribed to before  
me this 5<sup>th</sup> day of Sept 1896  
N.E. Carolan N.P.

Cam Ellis 27 day of Nov 1896

B R I E F.

:-BEFORE THE HONORABLE DAWES COMMISSION:-

In the claim for citizenship in the Creek Nation, of Mary M. McCullah and her children, to-wit:

Ida McCullah, Etha McCullah, Mattie McCullah, Wimer McCullah, Clarence McCullah.

We submit the following statement: Mary M. McCullah, as the daughter of Elizabeth Moore, who was the daughter of Mary Ann Miller, who was the daughter of Morning Gentry, who lived and died in Shelby County Ala., and was always known and recognized as a Creek Indian, and Mary M. McCullah, a great grand daughter of the aforesaid Morning Gentry claims to be a Creek Indian by blood, as shown by the following statement in the affidavit of Elizabeth Moore, the daughter of Miller and Wimer Moore, who lived and died in Shelby County Ala.

Elizabeth Moore, the daughter of Miller and Wimer Moore, who lived and died in Shelby County Ala., and was always known and recognized as a Creek Indian, and Mary M. McCullah, a great grand daughter of the aforesaid Morning Gentry claims to be a Creek Indian by blood, as shown by the following statement in the affidavit of Elizabeth Moore, the daughter of Miller and Wimer Moore, who lived and died in Shelby County Ala.

.....  
.....



Registered



Indian Territory  
Within Indian.

J. L. G. Mills as witness  
swear that on 7<sup>th</sup> Jan. 1896 I delivered - baggage to  
Postmaster at Rogers, D. T.  
addressed to Sebastian Chief  
Creek, Indian Land Co.  
at Okmulgee. It is further  
registered as is received  
from Postmaster and on  
here attached that it is  
a receipt of said baggage  
which contains two copies  
of original deposition of  
Mary McCallister.

Subscribed and sworn to  
before me this 7<sup>th</sup> day of Jan. 1896  
J. Louis Riddle

REGISTRY RECEIPT.

Post Office at

Registered Letter

No.

155

Rec'd

Sept 9th 1896

of

W. J. Watts

addressed to

Wagner St.  
Alexander Blair (Chief Clerk Nat.)  
O'Connell St.  
Harry J. Watts acting P. M.

ORIGINAL APPLICATION OF

Mary M. McBurness

For Citizenship.

Filled

day of

1896

HUBBARD, GARLAND & WATTS,  
Attorneys for Applicant

FILED SEPT. 8 1896  
A. S. McKENNON  
Clerk

Conclude Chapter

Rejected

**End**

CR 98

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO PRESS

CHICAGO, ILL.

1960

THE UNIVERSITY OF CHICAGO PRESS  
CHICAGO, ILL.  
1960

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CHICAGO, ILL.  
1960

THE UNIVERSITY OF CHICAGO PRESS



Before the Dawes Commission, Vinita, Indian Territory.

Oregon H. Maston,-----Plaintiff.

VS. ( Answer.

The Creek Nation,-----Defendant.

The defendant says: That it appears from the plaintiffs application that he was born and raised in the State of Alabama and did not come to this Nation before the Alien Act and has never been enrolled as a citizen or recognized as such.

That he does not show that he has the degree of blood required by the laws to be admitted as an Indian and citizen of this Nation.

Wherefore the defendant says the applicant is not entitled to citizenship upon the facts stated in his application.

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bureau of Indian Affairs*

says that he believes the matters and things set forth in the foregoing answer to be true.

*Bureau of Indian Affairs*

Sworn to and subscribed before me this 10th day of October 1896.

*and the papers read*

*By James O. ...*

No. 3814.  
In the Application of  
Oregon M. Martin  
for Citizenship in  
the Creek Nation

FILED SEP 1 1894  
A. S. H.  
U. S. DEPT. OF JUSTICE

Received

H. J. Seaver  
Atty for Claimant

Personally appeared before me the undersigned V. F. Seaver, who  
being by me duly sworn upon his oath says that he did on this day  
deposit in the United States Post Office at Muncie Ind. Ter.  
a sealed envelope containing true and correct copies of the proof  
and petition in the case of Oregon M. Masten for  
citizenship in the Creek Nation of Indians addressed to Neperheche  
Chief of the Creek Nation at Okmulgee, Ind. Ter. with lawful post-  
age paid thereon, and the Okmulgee I. T. is where the said Chief  
gets his mail.

Sworn to and subscribed before me this September 8, 1906.

V. F. Seaver  
Notary Public Northern Dist. I. T.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes  
in the Indian Territory:

Your petitioner, Oregon M. Martin undersigned, respectfully  
states that he is a Creek Indian by blood and ask to be enrolled as a member of the  
Creek Nation of Indians in the Indian Territory. That he derives his said Indian  
blood from Sophia, daughter of his said mother, who was a  
Creek Indian by blood. And that he is a member  
of said Creek tribe of Indians and was en-  
rolled as a member of Chickasaw - Grand  
town.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the  
Creek Nation, and prays that his claim may be fully investigated by your  
Honorable Commission and that he be adjudged to be a citizen of said Creek  
Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with  
the laws and treaties with said Nation of Indians

My age is 60 years. My Post Office address is Chickasaw  
My family consists of the following-named persons: My Self and children, as follows:  
aged years.  
aged years.  
aged years.  
aged years.  
aged years.  
aged years.  
aged years.  
aged years.  
aged years.

WITNESS my hand this 29 day of July 1896  
Oregon M Martin

Indian Territory  
Creek Nation

Personally appeared before me, the undersigned authority, Oregon M. Martin  
to me known to be the petitioner in the above petition, who being by me first duly sworn upon his oath  
says that he is the petitioner in the above petition, that he has read (or heard read) the said petition,  
and that the facts stated therein are true, as he verily believes

Subscribed and sworn to before me at Chickasaw Oregon M Martin  
this 29 day of July A.D. 1896 H. F. Leary  
Notary Public

IN THE MATTER OF THE APPLICATION OF OREGON M. MASTIN FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

United States of America     )  
Indian Territory             ) SS  
Northern District.            )

Personally appeared before me  
the undersigned authority, Oregon M. Mastin, to me well known, who  
being by me first duly sworn, upon his oath says as follows:-

I am fifty years of age. My Post Office is Okmulgee  
Ind. Ter. I am a grand son of Sophia Durant and a son of Mary  
Sophia McCombs, and a full brother of Jennie M. Lapert, who was  
admitted as a full citizen of the Creek Indian Tribe at Okmulgee  
Indian Territory, in October 1890. I and all of the above  
named persons are Creek Indians by blood, and justly belong to  
Hickory Ground town.

Oregon M. Mastin

Sworn to and subscribed before me this --- day of August 1896.

W. H. Brown  
Notary Public.



IN THE MATTER OF THE APPLICATION OF OREGON M. MASTIN FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

United States of America)  
Indian Territory ) S S.  
Northern District )

Personally appeared before me the

Undersigned authority, Honorable Ward Cookman, to me well  
known, and he being by me first duly sworn upon his oath says  
as follows:-

I am past seventy years of age, I am a Creek citizen  
by blood. I was at one time Principal Chief of the Creek Nation.

I know the claimant Oregon M. Mastin, and have known him all  
his life. I knew his grand mother Sophia Durant who was a  
member of the Creek Tribe of Indians and was enrolled in the  
Hickory Ground Town in the State of Alabama. She married a white  
man by the name of Dr. George McCombs and from that union was  
born Mary Sophia McCombs, and she when grown married William J.  
Mastin, and from that union was born the claimant and several other  
children. I was intimately acquainted with all of the above  
named parties and know of my own personal knowledge that all of  
them are Creek Indians by blood and entitled to be placed on the  
Rolls of said Creek Nation. I further state that a full sister  
of claimant, viz. Jennie M. Laport was admitted and enrolled as  
a full member of the Creek Nation about the year 1889, as a mem-  
ber of Hickory Ground Town, under the name of Jennie M. Marston,  
her former husband's name.

Witness my hand and seal this 4<sup>th</sup> day of July 1896.

Ward Cookman  
Sworn to and subscribed before me this 4<sup>th</sup> day of July 1896.

Notary Public.

IN THE MATTER OF THE APPLICATION OF OREGON M. HASTIN FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

United States of America)  
Indian Territory ) SS.  
Northern District. )

Personally appeared before me the  
undersigned authority, John Francis, to me personally well known,  
who being by me first duly sworn upon his oath says as follows:-

I am about <sup>63</sup>seventy years of age. I am a citizen of the  
Creek Nation by blood. I am town Chief of Hickory Ground Town,  
and have held that position for a number of years. I am well  
acquainted with the claimant Oregon M. Hastin. I know his Grand  
Mother, Sophia Durant and his mother Mary Sophia McCombs. I know  
his sister, Jennie M. Laport. She is a full sister of the claim-  
ant, and was admitted a Creek citizen some time in the year 1890,  
and enrolled in my town, by Act of the Creek Council. I am well  
and personally acquainted with most of the members of their fami-  
ly and have been all my life. In fact they are his of name, and  
are entitled to be placed on the Creek Rolls as Citizens thereof,  
as much so as I myself am.

Witness my hand this ---6--- day of ---Aug--- 1896.

In presence of  
J. R. Jones

John X Francis  
Notary

Sworn to and subscribed before me this ---6--- day of ---Aug--- 1896.

Notary Public.

IN THE MATTER OF THE APPLICATION OF OREGON M. MASTIN FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

United States of America     )  
Indian Territory            ) SS.  
Northern District            )

Personally appeared before me the  
undersigned authority, Barent DuBois, to me well known, who being  
by me first duly sworn, upon his oath says as follows:-

I am 53  
years of age, a citizen of the Creek Nation by blood. My Post  
Office is Muscogee Ind. Ter. I came to the Indian Territory and  
was admitted as a citizen in 1890. I know the claimant and have  
known him all his life. I knew his grand mother Sophia Durant.

She married Dr. George McCombs, and from this union was born  
Mary Sophia McCombs who married William J. Mastin, and from this  
union were born the claimant and several other children. The  
claimant's sister, Jennie M. Laport was admitted the same Fall I  
was, a full citizen of the Creek Tribe. The above named mother  
grand mother, sister, and this claimant are all Creek Indians by  
blood, and are surely entitled to be entered as citizens of the  
Creek Nation on the Rolls of Hickory Ground Town. I have known  
these parties all my life, have lived in their neighborhood, been  
at their houses, and know of my own personal knowledge that they  
and each of them are Creek Indians by blood.

Barent DuBois

Sworn to and subscribed before me this 6 day of August  
A . D. 1896.

N. A. Gibern  
Notary Public.

**End**

CR 99



**Commission to the Five Civilized Tribes.**

VINITA, IND. TER., *Sept 1* 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, *G. E. Barker*, do solemnly swear that on the *1st* day of *September*, 1896, I saw a package registered at the postoffice at *Kellamite, Ok*, addressed to *Gov* Governor or Chief of the *Creek* Nation, *Ok* Ind. Ter., that registry receipt, No. *26*, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of *Maggie E. Martin*, and of the affidavits of *Samuel H. Martin* and *...* in support of same.

*G. E. Barker*  
Subscribed and sworn to before me, on this *1st* day of *September* 1896.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

*J. H. ...*  
For the Commission.

No 483

---

Mary Morton

R

Creek Native

---

Filed Sept 8-1896

A.S. McKinnon

Clerk

Rejected





No 689 77

Mary Martin

Creek Nation

9/-3/-96



REGISTRY RECEIPT.

Post Office at *Kellyville, I.T.*  
Registered Letter } No. *26* Rec'd *9-1-* , 189*6*,  
Parcel }  
of *Maggie E. Martin*  
addressed to *Chief of Const. Station*  
*Oth. Kelly, I.T.*  
*C. Warren, P.M.*

**End**

ca 100

|                                    |         |
|------------------------------------|---------|
| No. 100                            |         |
| RECEIPT                            |         |
| FOR ORIGINAL PAPERS IN THE CASE OF |         |
| Sarah Madden                       |         |
| VS.                                |         |
| Cross                              | Nation. |
| Received and filed this            | day of  |
|                                    | 189     |
| Secretary.                         |         |
| NEWTON JOO PRINT POST OFFICE       |         |

*[Faint handwritten notes and signatures are visible in the left margin and bottom of the document.]*

vs. Nation, as follows:

WITNESS my hand and official seal at

this the.

..day of.

189



No 100

Sarah Madden Etal

v

Crest Nation

Order for Appeal

#292

# NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

ss.

In the United States Court for said District.

In the matter of the application of Sarah Madden et al to be  
enrolled as citizens of the Creek Nation.

TO THE Commission to the Five Civilized Tribes;

You are hereby notified that an appeal has been taken in the matter of the application of

Sarah Madden et als

to be enrolled as citizens of the Creek Nation, from said  
Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 6<sup>th</sup> day of

July A.D. 1897.

J. H. Burton Clerk.

**End**

CR 101

239

FILED SEPT. 9 1896.

A. S. MCKENNON

COM 'R'



Muskegon P.T. Sept. 8<sup>th</sup>/82  
Received this day of Constantine M. Murphy,  
per Nelsons & Co. his attorney, copy of  
application in case of <sup>Constantine</sup> M. Murphy  
for citizenship in the Creek Nation.

Robt M. Gilebeck  
Act. Prin. & Secy Muskegon Nation.

By J. M. Callahan  
Dist. Secy

No 739 101  
Case of  
Constantine M. Murphy  
for citizenship in the  
Creek Nation

Filed Sept 3-1896  
H S McKinnon  
Clerk

Rejected

Filed by  
Nelson's Heber  
Atty at Law.  
Muskege  
9. T.

To the Honorable Dawes Commission:

Application of Constantine M. Murphy for  
citizenship in the Creek Nation.

Come now Constantine M. Murphy, and respectfully shows that he is a white man and citizen of the United States and of the Creek Nation by marriage. That in the year 1862 he was married to Elija Jobe, a Creek Indian by blood, and who is enrolled and recognized as such by the Creek authorities. That said marriage was performed in accordance with the laws of the Creek Nation. That there were born as the issue of said marriage, four children, all of whom are now living and residing in the Creek Nation and recognized and enrolled as citizens thereof, one of whom is a minor and now living with your applicant in said Creek Nation.

That at the time of his marriage aforesaid, under the laws and usages of the Creek Nation, he and others similarly situated were regarded as citizens of the Creek Nation without any distinction or discrimination as to private and property rights.

That he has improved a place in the Creek Nation, near the town of Muscogee I. T., upon which he has resided for the past

eighteen years, with his family, and that he is the owner of no other home nor does he own any other place as pasture, excepting as above mentioned, or any interests in any other state or Territory, and the accumulations of all his labor have been put into the place above mentioned, and the improvements upon it.

That he has always been permitted to secure permits for non-citizens, as Creeks by blood could do, and to reside in said Creek Nation and his right to do so has never been denied or objected to, and for a number of years was permitted to vote ~~in said Creek Nation~~ <sup>in said Creek Nation</sup> had under the treaties of 1856 and 1866 of said Creek Nation with the United States, and the constitution and laws of the United States, and the laws and usages of said Nation as properly construed, he should be regularly enrolled as a full citizen of said Nation to the end that he may be protected in his property rights acquired and built up under express and implied contract upon the part of said Creek Nation, and may share in the ultimate division of the lands and moneys of said Nation.

Wherefore he prays that he may be admitted and enrolled as a citizen of said Creek Nation by your Honorable Commission.

Constantine M. Murphy

Subscribed and sworn to before me this 21<sup>st</sup> day of August 1896

John E. Lieber,  
Notary Public.



REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE

IN RESPONSE TO A RESOLUTION OF THE HOUSE OF REPRESENTATIVES

PASSED JULY 1, 1890

AND TO A RESOLUTION OF THE SENATE PASSED JULY 1, 1890

RELATIVE TO THE LANDS BELONGING TO THE UNITED STATES

IN THE TERRITORY OF ARIZONA

AND IN THE TERRITORY OF NEW MEXICO

AND IN THE TERRITORY OF COLORADO

AND IN THE TERRITORY OF ILLINOIS

AND IN THE TERRITORY OF INDIANA

AND IN THE TERRITORY OF KENTUCKY

AND IN THE TERRITORY OF LOUISIANA

AND IN THE TERRITORY OF MISSISSIPPI

AND IN THE TERRITORY OF ALABAMA

AND IN THE TERRITORY OF GEORGIA

AND IN THE TERRITORY OF FLORIDA

AND IN THE TERRITORY OF CALIFORNIA

AND IN THE TERRITORY OF TEXAS

AND IN THE TERRITORY OF ARIZONA

AND IN THE TERRITORY OF NEW MEXICO

AND IN THE TERRITORY OF COLORADO



Before the Dawes Commission, Vinita, Indian Territory.  
Constantine H. Murphy, a White man,----- Plaintiff,  
VS. ( Petition to be enrolled,  
The Creek Nation,----- Defendant.

1. Comes the said defendant and says that the plaintiff in this case is a White man and a citizen of the United States and claims the right to be enrolled as a citizen of the Creek Nation because of the inter-marriage with a Creek woman, a native citizen thereof. The said defendant avers and says that the said plaintiff is not entitled to enrollment because said plaintiff did not by such marriage become a citizen of the Creek Nation under the laws, customs and usages of said Nation and of the Treaties between defendant and the United States.

2. The defendant further says that the plaintiff does not state facts in his said petition and affidavits thereto attached sufficient to entitle him to be enrolled as a citizen of the said defendant Nation.

3. The said plaintiff has not filed with his said petition evidence of his said inter-marriage.  
*4 The defendant's answer - to the jurisdiction of this Hon Commission when S.F. Callahan, Attorney for def't.*

Punny McIntosh,

Ben T. Duval,  
Attorneys for def't.

*Bennie Mc Intosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bennie Mc Intosh*

Sworn to and subscribed before me this 22nd day of October 1896  
*Witness my hand and private seal not having an official seal*  
*Done in Rogers (real)*  
*Notary Public*

*Came exp Oct-1900*

**End**

OK 102

No 729 102  
Creek Nation

Application of  
Paralee Mullins  
& four children  
for citizenship in the  
Creek Nation.

---

Filed Sept 2-1894  
A.S. McKinnon  
Com.

Rejected

Filed by  
Nelson Huber  
atty at Law.  
Muscooge.  
Ind. Ter.

Before the Hon Dawes Commission  
Application of Paralee Mullins  
and her four children for citizenship  
in the Creek Nation - of African descent.

Paralee Mullins for herself  
and as next friend of her  
children, as follows: Fannie,  
aged 7, Reesie, aged 5, Johnnie,  
aged 4 years, and Fannie  
Mullins aged 18 months,  
makes application for citizen-  
ship in the Creek Nation,  
based upon the following  
facts to wit:

She is a person  
of African descent, and is  
the daughter of Flora, now  
Flora Franklin, and Willis  
Foren, the first husband of  
the said Flora, who was of African  
descent, and who died in the  
Creek Nation about 8 years ago.

The said Flora was the daughter  
of Monday Durant and his wife  
Jane Durant, they being well-  
known and recognized citizens  
of the Creek Nation. The said  
Monday Durant died about 1888.



in full recognition as a Creek  
Citizen and after having held  
many offices of honor and  
trust in said Nation; Town  
Scriber, Councilman and  
Delegate to Washington.

That said Applicant has  
resided continuously in the  
Creek Nation since 1880, where  
she came to the home of her grand-  
father Monday Durant, with her  
Mother <sup>and</sup> Sisters and Brothers, and  
where all have been accorded  
the right to reside and make  
homes since that time. No permit  
has ever been required, and her  
Father and Brothers were required  
and did work the roads under  
the Creek laws as Creek Citizens  
are required to do.

That she was married eight years  
ago to John Mullins <sup>(by David Solomon a Baptist Minister)</sup> who is the  
father of her four children  
aforesaid.

Is the lawful descendant of  
persons of African descent who  
resided in the Creek Nation in

POOR ORIGINAL -  
BEST AVAILABLE COPY

1865- + 1866, she is entitled to Citizenship in said Nation as well as her children aforesaid. And she states further that her mother the now Flora Franklin was owned by a Creek Citizen named Sarah Ann, the wife of James McDaniel and was brought here before the late war, and was subsequently taken away as a slave, though her father Monday Durant remained continuously until his death as aforesaid.

Wherefore she prays that she and her children aforesaid may be enrolled as Citizens of the Creek Nation.

Witness:

Parakee Mullins

Sarah Loom

Seen and subscribed to  
before me this 31<sup>st</sup> day of  
August 1896. John L. Luby  
Notary Public.

My Com. Expires Dec. 18, '93.

Parolee Mullin #129

A. S. Mullin  
COM 'A'

9  
A. S. Mullin

Cherokee D. Sept 7, 1906  
Received this day of Parale Mullin  
for Nelson Heller, her attorney  
Copy of application and evidence  
in Case # 729 of Parale Mullin et al  
for citizenship in the Creek Nation  
Roly M. Hatcher

J. Blalock Detg. in Creek Nation  
By <sup>Paul Lee</sup> Paul Lee



Indian Territory. Northern District S.S.

In the matter of the application of Paralee Mullen \_\_\_\_\_ and descendants for citizenship in the Creek Nation

On this 31 day of August 1896 personally appeared before me a Notary Public within and for the above named District Flora Franklin aged about 65 years whose P.O. address is Lee, Ind. Ter., who after being duly sworn declares in relation to aforesaid claim as follows:-

That she is of African descent, and was brought to the Creek Nation from Alabama as a slave.

That she was taken from the Creek Nation by her master James Mc Daniel, who was the husband of Sarah Ann Mc Daniel, sometime before the late war, and that she returned to said Nation in the year 1880 and has resided therein ever since.

That affiant is the daughter of Monday Durant who was of African descent and an enrolled and recognized citizen of the Creek Nation under the treaty of 1866 between the United States and said Creek Nation. That affiant is the mother of Paralee Mullen, the above named applicant, who was born in lawful wedlock and who has resided in the Creek Nation since the year 1880, and is now residing on her own place in said Nation, the said Paralee Mullen being permitted to reside in said Nation and own a home therein under act of the Creek Council passed



in 1881 or 1882.

That said Monday Durant was a member of the Creek Council, and also Town King of one of the solar-ed towns, and that he died about 1888 in the Creek Nation,

That affiants farmer husband Willis Loren, and his son Ketch Loren, and the husband of said Parale Mullin have been required to work the roads by the Creek Nation as citizens thereof.

That affiant is the mother of four other children as follows: Marinda Humphrey, Jane Roberts, Sarah Parish and Ketch Loren, all of whom are now residing in the Creek Nation.

Thara <sup>nee</sup> Francis

St. E. Durant

Ketch Loren

Subscribed and sworn to before me this 31<sup>st</sup>  
day of August 1896

John E. Seiber  
Notary Public.

Indian Territory Northern District S. S.

In the matter of the application of Paralee Mullin and minor children for citizenship in the Creek Nation.

On this 31<sup>st</sup> day of August 1896 personally appeared before me a Notary Public within and for the above named District Paralee Mullin aged about 27 years whose P. O. address is Muscogee Ind. Ter. who after being duly sworn declares in relation to herself and claims as follows:

That she is of African descent and is the mother of Luanna, Reesie, Johnnie and Fannie Mullin, all of whom are minors, and were born in lawful wedlock and are now living and residing with affiant in the Creek Nation.

That affiant has resided in the Creek Nation since the year 1880, and has built a home therein under act of the Creek Council passed in the year 1881 and 1882

Paralee Mullin  
Subscribed and sworn to before me this 31<sup>st</sup> day  
of August 1896.  
John L. Luber,  
Notary Public

Anna Holmes  
C. C. Coffey

wherefore defendant does not and cannot be dismissed  
dismissed so that defendant

citizenship therein; that she was ever entitled to such a

to state and was born in this nation of American and Irish of

and is entitled to such a of them have ever been dismissed

in the nation the defendant of American and

3. The defendant states that she is entitled to citizen-

ship and she has been so since 1880

before of the land of her mother and to citizenship; if

there is any other law or the provisions of the second

section of the act of 1880, and do not take in their com-

the defendant or answer that the defendant is

Particulars of the

the Creek nation

the Creek nation

Ad. (petition for citizenship)

her children

before the same Commission, United Indian Territory

Before the Dawes Commission, Vinita Indian Territory.

Parallee Mullins and:  
her children :----- Plaintiffs,  
VS. ( Petition for Citizenship.  
The Creek Nation,-----Defendant.

The defendant for answer says: 1. That the plaintiffs are persons of "African descent" and do not state facts in their complaint to bring them within any of the provisions of the Second Article of the Treaty of 1866 entitling them to citizenship; it appears that they did not return to this Nation until 1880.

2. The defendant denies that they are entitled to citizenship in this Nation as the descendants of "Monday Durant" and denies further that they or any of them have ever been permitted to reside and make homes in this Nation or accorded any rights of citizenship therein; that they were ever enrolled as such or permitted to draw annuities.

Wherefore defendant prays that said complaint be dismissed.

S. P. Callahan,

Wm. McIntosh,

Ben T. DuVal,  
Attorneys for defendant.

*Burns Mc Intosh*

says that he believes the matters and things set forth in the foregoing answer to be true.

*Burns Mc Intosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1898

*Notary Public*

*My Commission expires Oct 10<sup>th</sup> 1900*



**End**



CR 108

## AFFIDAVIT OF WITNESS.

STATE OF Georgia  
COUNTY OF Banks

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Hariett Hurren who after being by me duly sworn states that she is 42 years of age, and is a citizen of Banks County and State of Georgia and that she is personally acquainted with Mourning McMillon Who is an applicant for citizenship in the Creek Nation, I. T., and affiant further states that the said Mourning is the identical person that represents her self to be in her application for citizenship in said Nation and that the said Mourning McMillon is the daughter of Wimberley McMillon the son of Charley Griffin the son of Toney Griffin a Creek Indian

Affiant further states that she has known the said Mourning McMillon for the past 30 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having one eighth Creek Indian blood and that the complexion and physical appearance of the said Mourning McMillon indicate that the said one eighth is of Indian blood. That from the above facts and circumstances and from statements made to her by the said Mourning McMillon Affiant states she has every reason, to believe and does believe that the said Mourning is of Creek Indian blood.

Affiant further states that she has no interest in the prosecution of the claim of the said Mourning to citizenship in the Creek Nation, I. T.

Subscribed and sworn to before me this 14 day of March A. D. 1894  
and I certify that I am well acquainted with the said Hariett Hurren  
and know her to be a person of credibility and of truth and veracity.

My commission Expires on the 31 day of March 1894  
Joseph P. Byers, Attorney at Law.

Repealed

# APPLICATION FOR CITIZENSHIP.

To The Honorable National Council of Creek Nation, Ind. Ter.

Gentlemen:—The undersigned, your petitioner, this day makes this her Application for Citizenship in the Creek Nation, in the Indian Territory, in accordance with the Constitution and laws of said Nation, and respectfully makes the following statement of the grounds of this her Application to-wit:

That Mourrain McMillon is the Descendant of one Fancy Griffin who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this her Application for Creek Citizenship by blood, and respectfully waits the time when this her Application shall be truly heard and tried, Respectfully submitted.

Age 44 years, Postoffice Silver Shoal Ga

Family, with their relationship attached as follows:

| No. | NAME.             | SEX. | AGE. | RELATIONSHIP.           |
|-----|-------------------|------|------|-------------------------|
| 1   | Mourrain McMillon | M    | 44   | Applicant & now married |
| 2   | Fancy Brown       | F    | 42   | Sister                  |
| 3   | Chas McMillon     | M    | 39   | Brother                 |
| 4   | Pinkney McMillon  | M    | 37   | Brother                 |
| 5   | John McMillon     | M    | 35   | Brother                 |

In witness of which Application, I hereunto set my hand, on this the 14 day of March 1894

Subscribed and sworn to before me this 14 day of March 1894

Joseph P. Byers, Attorney at Law

Mourrain McMillon  
A. J. Griffin Notary Public  
♦TEMPO JOB PRINT, FT. SMITH♦



**AFFIDAVIT OF WITNESS.**

STATE OF Georgia }  
COUNTY OF Baldwin } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Margaret Hollen who after being by me duly sworn states that she is 44 years of age, and is a citizen of Baldwin County and State of Georgia and that she is personally acquainted with Mourmin McMillon Who is an applicant for citizenship in the Creek Nation, I. T., and affiant further states that the said Mourmin is the identical person represents his self to be in application for citizenship in said Nation and that the said Mourmin McMillon is the daughter of Orinabley McMillon who was one fourth Creek Indian blood

Affiant further states that she has known the said Mourmin McMillon for the past 30 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Creek Indian blood and that the complexion and physical appearance of the said Mourmin McMillon indicate that the said Mourmin is of Indian blood. That from the above facts and circumstances and from statements made to her by the said Mourmin McMillon Affiant states she has every reason to believe and does believe that the said Mourmin is of Creek Indian blood.

Affiant further states that she has no interest whatever in the prosecution of the claim of the said Mourmin to citizenship in the Creek Nation, I. T.

Subscribed and sworn to before me this 14 day of March A. D., 1894.  
and I further certify that I am well acquainted with the said Margaret Hollen and know her to be a person of credibility and of truth and veracity.

My Commission Expires on the 31 day of March 1894  
St. J. Griffin Notary Public.

Joseph P. Biers, Attorney at Law.

♦J. M. CAIN, ARTIST PRINTER, FT. SMITH, ARK.♦



AFFIDAVIT OF WITNESS.

STATE OF Georgia }  
COUNTY OF Banks } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared Abner Griffin who after being by me duly sworn states that he is 45 years of age, and is a citizen of Banks County and State of Georgia and that he is personally acquainted with Mourne Mcmillon

Who is an applicant for citizenship in the Creek Nation, I. T., and affiant further states that the said Mourne is the identical person who represents her self to be in application for citizenship in said Nation and that the said Mourne Mcmillon is the daughter of Kimbley Mcmillon who was one fourth Creek Indian

Affiant further states that he has known the said Mourne Mcmillon for the past 30 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having one eighth Indian blood and that the complexion and physical appearance of the said Mourne Mcmillon indicate that the said one eighth is of Indian blood. That from the above facts and circumstances and from statements made to him by the said Mourne Mcmillon Affiant states he has every reason to believe and does believe that the said Mourne is of Creek Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Mourne to citizenship in the Creek Nation, I. T.

Abner Griffin

Subscribed and sworn to before me this 14 day of March A. D., 1894.

and I further certify that I am well acquainted with the said Abner Griffin and know him to be a person of credibility and of truth and veracity.

My Commission Expires on the 31 day of March 1894

Joseph P. Byers, Attorney at Law.

J. M. OAIN, ARTIST CHARTER, ST. SMITH, AND.

**End**

CP 104

No. 104

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*U. N. Miller et al*

VS.

*Quart*

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR POST OFFICE

..... **VS.** ..... **Nation, as follows:**



No 104  
J. N. Miller Et Al.

T.S.  
Crest Nation  
Order of Appeal  
U.S. Court

#234

## NOTICE.

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

ss.

In the United States Court for said District.

In the matter of the application of

G W Miller et al

to be

enrolled as citizens of the Creek Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

G. W. Miller et als

Creek

to be enrolled as citizens of the  
Commission

Nation, from said

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 19th  
Jan, 1897. A.D. 189

Clerk.

**End**

CR 105

No 103-

Narcissa Morgan Etal  
vs.  
Creek Nation

Appeal Order  
U.S. Court



## NOTICE.

United States of America,

INDIAN TERRITORY,  
NORTHERN DISTRICT.

ss.

In the United States Court for said District.

In the matter of the application of  
Narcisy Morgan et als

to be

enrolled as citizens of the Creek Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

Narcisy Morgan et als

to be enrolled as citizens of the Creek Nation, from said

Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
2nd  
seal thereof, at Muskogee, Indian Territory, the day of  
Jan. 1897 A.D. 189

Clerk.

No. 105

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Narcissa Morgan Et Al

VS.

Orin

Notion

Received and filed this

day of

189

Secretary

CHARTER AND PRINT PRESS

vs. Nation, as follows:

this the 26<sup>th</sup> day of

Muscogee  
January 1897  
Jas. A. Winston  
Clark

**End**

ca 106



No. 57 116,

2 Mattie Minton

27.

Creek Nation

Filed Aug. 1, 1896.

H. W. Jaceway  
Sentry

Complaint

Citizenship granted  
Mattie Minton and  
her children.

H. S. Kolfeberger  
Jath. D.

Exposition of  
Mary Fisher &  
Garucho Latham.



2

that Mattie Norton, formerly  
Garry, the - and residing in the  
county of - that that Mattie  
Norton is the daughter of  
of William Kershill, and that  
that Mattie Norton is  
a cousin of Mattie Norton  
the State that Mattie Norton  
was sent to school and is entitled  
to a certificate - Gerusha Gibson  
Mary for her

2 which was made before  
me this 2nd day of July  
1896 -  
H. J. Gibson -  
County Public

Mathie Morton.

<sup>to</sup>  
Carthage Station

Deposition



Deposition of John A. Self  
Taken on the 25th of July 1896  
at Tusculum S.T. in the U.S.  
Commission of file. To be  
read in an action Mattie  
Morton formerly Mattie Foster  
plaintiff and the Creek nation  
Defendant now pending before  
the Davis Commission at United  
S.T. in the Cherokee nation.

John Self being duly sworn  
deposes and says that  
his age is 41. He states that  
he is well acquainted with  
Mattie Morton formerly Mattie  
Foster. He states that she is  
the daughter of Mrs. Foster  
the plaintiff in suit before this  
Commission. He states that he  
is second cousin to her. He knows  
that William Berryhill was her  
brother. He states that  
Noah Berryhill is a brother  
to William Berryhill who is  
a citizen of the Creek nation  
by blood. He states he is a  
Creek Citizen by blood  
and resides at Tusculum S.T.  
He knows that William Berryhill

was an Indian by blood and  
all ways recognized as an Indian  
by blood. He know that plaintiff  
is a Indian by blood. He also  
that she has been living in  
the Creek Nation and is not  
required to procure permit  
by said Nation, but is regarded  
by the people as a Creek Indian  
by blood.

John R. Self

Subscribed and sworn to  
before me this 25 day of  
July 1896 -

A. H. Hinton  
Notary Public

Stellie m. m. m.  
os.  
Levee Petio

Compliment

M. H. H. H. H.

To the Honorable Law Commission-act  
Sitting to Try Citizenship Claims in  
the Creek Nation &c.  
Mattie Norton.

Formally Plaintiff  
vs-  
Creek Nation Defendant  
The Plaintiff Mattie Norton  
Matters of fact in the case of Mattie Norton  
vs- the Creek Nation

I, the Plaintiff, Mattie Norton, do hereby  
state that I am a Creek Indian  
by blood and was born in  
the Creek Nation in Alabama  
east of the Chickasaw River.  
I was born about twenty years  
at the place named Joseph  
Norton in the year 1860 that they  
were called the Creek Nation  
and the name Joseph Gilbert. The  
~~name of the Plaintiff in the~~  
~~Creek Nation~~ I state that  
William Serrinell was her son  
- father - and her husband. She states  
that Mary Serrinell was  
her mother. She  
states that William Serrinell is the  
father of her son - William Serrinell.



2

2

The States that ~~former~~ ~~any~~ hill  
is much ~~litigen~~ by blood and ~~reside~~  
in the Creek Nation near ~~Waddell~~  
to one who ~~reside~~ in the ~~same~~ Nation  
for about 15 years. He ~~tells~~ that  
said ~~any~~ hill is ~~full~~ ~~ready~~ to  
be ~~used~~ ~~plainly~~ ~~by~~ ~~him~~ ~~and~~  
~~some~~ ~~brother~~ ~~the~~ ~~million~~ ~~very~~ ~~like~~  
He ~~tells~~ that ~~he~~ ~~has~~ ~~seen~~ ~~in~~ ~~the~~  
Creek Nation who is ~~much~~ ~~litigen~~ by  
blood and ~~reside~~ in the  
Creek Nation. ~~He~~ ~~tells~~ that ~~he~~ ~~has~~ ~~seen~~  
~~the~~ ~~same~~ ~~any~~ ~~hill~~ ~~in~~ ~~the~~  
Creek Nation ~~and~~ ~~that~~ ~~he~~ ~~has~~ ~~seen~~  
~~him~~ ~~for~~ ~~many~~ ~~years~~ ~~and~~ ~~that~~  
He ~~tells~~ that ~~he~~ ~~has~~ ~~seen~~ ~~in~~ ~~the~~  
apparently all ~~the~~ ~~litigen~~  
~~has~~ ~~been~~ ~~by~~ ~~him~~ ~~and~~ ~~is~~ ~~with~~  
the ~~same~~ ~~any~~ ~~hill~~ ~~and~~  
to ~~make~~ ~~the~~ ~~same~~ ~~any~~ ~~hill~~ ~~and~~  
important ~~in~~ ~~the~~ ~~same~~ ~~any~~ ~~hill~~ ~~and~~  
as ~~the~~ ~~same~~ ~~any~~ ~~hill~~ ~~and~~ ~~is~~ ~~with~~  
~~the~~ ~~same~~ ~~any~~ ~~hill~~ ~~and~~ ~~is~~ ~~with~~  
~~the~~ ~~same~~ ~~any~~ ~~hill~~ ~~and~~ ~~is~~ ~~with~~  
~~the~~ ~~same~~ ~~any~~ ~~hill~~ ~~and~~ ~~is~~ ~~with~~  
~~the~~ ~~same~~ ~~any~~ ~~hill~~ ~~and~~ ~~is~~ ~~with~~  
Creek Nation.



3

Pursuant to the provisions of the  
 Act of the 3rd March 1879, I do hereby  
 declare plaintiff and her children  
 equal rights founded as and confirmed  
 in the Creek Nation as is expressed  
 by any other Creek citizen in  
 said Creek Nation and for all  
 other and future and several  
 relief as may be required  
 in the premises and that the same be  
 enrolled in said Creek Nation and  
 that the petition be filed in the  
 Court of the Creek Nation

W. H. Morton

Creek Nation

I do hereby declare before me  
 H. S. Haysen, a Notary public.  
 W. H. Morton and others under  
 oath that the facts above stated  
 are true to the best of her knowl-  
 edge and belief. W. H. Morton

subscribed and sworn to before  
 me this 4th day of July 1886.

H. S. Haysen  
 Notary public.

Copy

Mattie Morton

---

vs.

Creek Nation

H

Copy.

Deposition of John C. Self  
Taken on the 25 day of July, 1876,  
at Eufaula, in the Head Commissioner's  
Office to the effect that  
John C. Self being duly sworn depost  
that he is acquainted  
with Mattie Mather formerly by Mattie  
Toshee. He states that she is the  
daughter of Mary F. Mather the plaintiff  
in the case before the Commission.  
He states that he has seen her several  
times and has heard her speak of her  
mother and father and that she is  
a citizen of the Creek Nation  
by blood. He states that he is a  
citizen by blood and is not at  
present in the case that he has  
been killed and is now by blood and  
always recognized as an Indian by  
blood. He states that the plaintiff is  
an Indian by blood. He states  
that she is the daughter of the

Creek Nation. and is not required  
to pay any permit by said  
Nation But is regarded by the  
people as a Creek & Indian by  
blood

Subscribed and sworn to before me This 27 day of June 1876

[illegible][illegible]

**End**



OR 107

No 107

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Rebecca Maslar

VS.

Amos

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR FILED

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of  
..... vs. .... Nation, as follows:

WITNESS my hand and official seal at

this the 6<sup>th</sup> day of

1897

*J. C. Johnston*  
*White*

No 107

Rebecca Morsley et al

vs

Brass Nation

Order of Appraisal

W. B. Morsley

Rebecca Morsley et al

vs

Brass Nation

## NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

In the United States Court for said District.  
In the matter of the application of  
ss. **Rebecca Mersley et al** to be  
enrolled as citizens of the **Creek** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**Rebecca Mersley, Sophronia Miller et als**

to be enrolled as citizens of the **Creek** Nation, from said  
**Commission**

to the United States Court for the Northern District of the Indian Territory and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereon of the application, and all original papers relating thereto

Witness the Honorable William M. Springer Judge of said Court, and the  
seal thereof, at Muskogee Indian Territory, the **13th** day of

**Jan 1897**

A D 1897

*J. H. Hamilton*

Clerk.



**End**

CR 108

P R I E T.

:--BEFORE THE HONORABLE DAWES COMMISSION--

In the matter of the application for citizenship of the Creek Nation, of William T. Morgan, and his children, to-wit:

Gerge R. Morgan, U. S. Morgan, John A. Morgan, John Morgan, Ada Morgan, James R. Morgan and Thomas Morgan.

In order that the Honorable Commission may be enabled to understand the merits of the Claim of William T. Morgan, the Claimant, we deem it necessary to present the ~~history~~ <sup>biography</sup> of the Claimant, also all the facts and circumstances ~~connected~~ <sup>surrounding</sup> the Claim for Citizenship of claimant in Creek Nation.

William T. Morgan, is a son of John Morgan and Mary Morgan, who were both Creek Indians by blood, as shown by the ~~following~~ <sup>exhibit</sup> A. R. <sup>6</sup> and submitted. The claimant and his children were, during the year 1888, enrolled upon the census roll of Arkansas Town, Creek Nation, by Gabriel Jamison, Chief of said town.

That said Chief Jamison, enrolled the Claimant and his children aforesaid, under an order from the District ~~Judge~~ <sup>Judge</sup> of the District, Judge Wesley Tiger; also under an order from the ~~Supreme~~ <sup>Supreme</sup> Judge of said Nation; that at the ~~request~~ <sup>request</sup> of the Supreme and District Judges, the town Chief of Arkansas Town, enrolled said claimants, and his aforementioned children, upon the census roll of said Arkansas Town, with a clear understanding that at any future time that the Claimant and his aforementioned children, could be transferred to some other town in said Creek Nation. And the town Chief Jamison, of Arkansas Town, did issue and give to Claimant a certificate of enrollment and citizenship. That relying upon the certificate issued and given to him as aforesaid, the Claimant fully believed himself and children to be lawful citizens of said Creek Nation, proceeded to improve a farm at a great expense and hard labor. And notwithstanding the legal admission to Citizenship of Claimant, and his children were denied the rights of participating in that as was known as the twenty-nine dollar payment, and as also denied participating the \$14.00 payment, in fact was refused in participating in all subsequent payments. The claimant, feeling himself aggrieved by the unjust and

illegal proceedings of the Creek authorities, and that he and his children, did in July 1896, file an application to the Citizenship Commission of said Creek Nation, for admission to citizenship. The illegal and disgraceful proceedings of said Circuit Court, fully shown by the proof herewith submitted and marked Exhibit D. The Claimant has resided within the Creek Nation, together with his family continuously since 1888; that he and his children are Creek Indians by blood, is fully and clearly shown by the proof herewith submitted, and he is entitled to all the rights, privileges and immunities of the citizens of the said Creek Nation. See Affidavits of J. C. Perryman, Judge W. B. Childers, Gabriel J. Smith, and Mackey Grayson, Ex. Caption of Legal Notice.

Wherefore, the Claimant prays the Honorable Court, that after a careful and impartial investigation of the proof herewith submitted, you will adjudge him and his aforementioned children, entitled under the proceeding of the Creek authorities, to be admitted to said Nation, that you place the name of claimant, together with the names of his aforementioned children, upon the roll of the Creek Nation, and grant to them all rights, privileges and immunities of the said Creek Nation.

A. H. Smith  
M. B. Smith

B R I E F.

:--BEFORE THE HONORABLE DAWES COMMISSION--:

In the matter of the application for Citizenship in the Creek Nation, of Mary A. Wasson, G. W. Miller, J. M. and Ester Clark, Edmond B. Cody, N. O. Perry, J. A. Hancock, Jacob Walker, Isaac Walker, John B. Halz, William J. Mount, J. E. Weir, Hester A. Cook, and George L. Fortner, <sup>and</sup> all the children and grand children of said Claimants.

The children of Mary A. Wasson, as follows, to-wit: John Was on, Grant Wasson, Victoria Robinson, nee Wason, Wright Wasson, White Wasson, Buliah Wasson and Allen Wasson.

The grand children of Mary A. Wasson, as follows, to-wit: Blain Wasson, Mattie Wasson, Pearl Wasson, Maude Wasson, Edie Wasson, Berthia Robertson, Roscoe Robinson, Claton Robinson, Myrtle Meadows, Thee Meadows, Berkley Meadows.

The children of G. W. Miller, as follows, to-wit: Eliza A. Neely, nee Miller, Lillie B. Clem, nee Miller, Thomas J. Miller, Emmett Y. Miller, Robert C. Miller, John W. Miller, Florence Clem, nee Miller, Myrtle Miller, Iona M. Miller.

The grand children of G. W. Miller as follows, to-wit: Dave Neely, James Neely, Frank Neely, Thomas Neely, Pasaba Neely, Allie Howard, Carrie Howard, Nolan Howard, Neely Miller, Eva Miller, May Miller, Jackey Miller; Roy Clem, Irvin Clem, Russell Miller, Earl Miller.

The children of J. M. and Ester Clark, as follows, to-wit: Antefe Clark, Nevada Clark, Ethel Clark, Andrew Clark, Laura Clark, Anna Clark, James B. Clark, Tilden Williams, Abbey Arnold, Nora Arnold.

The children of Edmond B. Cody, as follows, to-wit: Clovis C. Cody, Edith Cody, Iris E. Cody, Douglass L. Cody.

The children of N. O. Perry, as follows to-wit: Ed Perry, Genevie Perry, Harry Perry, Johnnie Perry, Myrtle Perry, Averis Perry, Level Perry.

The children of J. A. Hancock, as follows, to-wit:

Henry D. Hancock, Charles P. Hancock, George A. Hancock, Mary George, nee Hancock, Lizzie Hancock, William J. Hancock, Ora L. Hancock



The grand children of J. A. Hancock, as follows, to-wit:

Elbert C. Hancock, Allie T. Hancock, Douglas Hancock, Ulysses S. George, Maragret J. George, James Hancock.

The children of Jacob Walker, as follows, to-wit:

Alonzo H. Walker, Addie Fox, nee Walker, Charley W. Walker, Laura E. Perry, nee Walker, Cora E. Posegate, nee Walker, Sadie Walker.

Grand children of Jacob Walker as follows, to-wit:

Hiram Fox, Laura Fox, Ester Fox, Jacob V. Walker, Ethel Walker, Ida Walker, Christina Perry, Nellie Perry, Ernest Posegate.

The Children of Isaac Walker as follows, to-wit:

Lawson Walker, Harry Walker, Hattie Walker, Lucy Walker, Charley Walker, Jerry Walker, Pearl Walker, Ida Walker, ~~Ida~~ Walker, George Walker.

The children of John B. Hale as follows, to-wit:

John W. Hale, Ellen Hale, Ada Hale, Frank Hale, ~~Levin~~ Carter, nee Hale.

Grand children of John B. Hale as follows, to-wit:

Scott ~~Carver~~, Eddy Carver, Thomas Hale.

The child of William J. Mount, as follows, to-wit: Charley Henry Mount.

The Children of J. C. Weer, as follows, to-wit: Lizette Jay Weer, Claretta Weer, John H. Weer, Frank R. Weer, ~~John~~ E. Weer.

The Children of Hester A. Toon as follows, to-wit:

Warren C. Toon, Arthur R. Toon, Guy W. Toon, Sarah G. Toon, Sophrona Toon, Oneeta Toon, Owen F. Toon, Ollie C. Toon, Mary M. Toon.

The children of George L. Fortner as follows, to-wit:

Verda Smith, nee Fortner, Sarah Fortner, Clara Fortner, ~~Clara M. Fort-~~  
~~ner~~ Francis Fortner.

Grand children of George L. Fortner as follows, to-wit:

Gut Smith, May Smith.

The aforesaid Claimants, claim and declare themselves to be Creek Indians by blood, as clearly shown by the proof herein submitted, in each application for Citizenship, and by the sworn affidavits of the within named witnesses.

The Claimants have shown positively and correctly by the proof submitted, that the said Claimants and their children, were enrolled upon the census Roll of Arkansas Town, by the Chief of said Town, Gabriel Jamison, prior to the passage of the Act of 1894 by the Council of the Creek Nation, prohibiting the enrollment after that date, of persons

applying for citizenship in the Creek Nation.

*Gabriel*  
^ The affidavits of L. C. Perryman, Ex. Chief, M. B. Childers, Judge and Jamison, Ex Town Chief, all tend to show that each claimant and their children herein mentioned, were properly and legally enrolled upon the census Roll of Arkansas Town, Creek Nation; and that it was the law of custom and usage for the Town Chiefs to enroll persons for Citizenship, when<sup>n</sup> so ordered by the Courts and Council of said Nation. The proof herein, shows clearly that the Creek authorities, recognized aforesaid Claimants and their aforementioned children, as Creek Citizens for a short time after their enrollment. But since that time have ignored them as Citizens, deprived them of their rights, as citizens, and have unjustly and illegally decitizenized each of aforesaid Claimants and their children aforementioned.

Wherefore, the Claimants pray the Honorable Commission, that after a fair and impartial investigation of their proof herein submitted, that you will adjudge Claimants, together with their children aforementioned, entitled to Citizenship in the Creek Nation; and replace each Claimant and his or her children, upon the Creek Rolls, and restore to them all the rights, privileges and immunities of Citizens of the Creek Nation.

*A H Barclay & H J Watts  
and M. B. Watts*

.....,  
Counsel for Petitioners.

No

PETITION OF

*William T. Mayam*

for and on behalf of

*himself*

and heirs

*Gartaud, W. J. Watts  
and W. B. Watts*

Attorney, for Petitioner.

*W. J. Watts  
Notary Public*

# APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. MCKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the ~~Sherokee~~ <sup>Creek</sup> Nation:

GENTLEMEN: The undersigned, your petitioner, *William T. Morgan* for and on behalf of *himself* and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of ~~Sherokee~~ <sup>Creek</sup> Indians and of those entitled to share in the distribution of lands and allotments of land in ~~Sherokee~~ <sup>Creek</sup> Nation, by virtue of their ~~Sherokee~~ <sup>Creek</sup> blood.

affidavits of L. C. Perryman, Tuckey Grayson, Gabriel Jamison, P. R. Leason & B. Childers Samuel Barnett, William T. Morgan.

in support of said claim, and respectfully await the time when *his* case may be heard and tried.

*William T. Morgan*

Enrollment of family, with relationship attached, as follows:

| NAMES.                   | AGE.                |                                   |
|--------------------------|---------------------|-----------------------------------|
| <i>William T. Morgan</i> | <i>52</i>           |                                   |
| <i>Children</i>          |                     | <i>William T. Morgan</i>          |
| <i>George R.</i>         | <i>son 20</i>       | <i>is a son of John</i>           |
| <i>Th. S.</i>            | <i>" 18</i>         | <i>Morgan and a grand</i>         |
| <i>John A.</i>           | <i>" 15</i>         | <i>son of Hugh Morgan</i>         |
| <i>Julia</i>             | <i>daughters 11</i> | <i>who were both Creek</i>        |
| <i>Eda G.</i>            | <i>" 8</i>          | <i>Indians by blood, as shown</i> |
| <i>John B.</i>           | <i>son 5</i>        | <i>by the proof, and neither</i>  |
| <i>Thomas S.</i>         | <i>" 2</i>          | <i>William T. Morgan and</i>      |
|                          |                     | <i>his family were legally</i>    |
|                          |                     | <i>enrolled by the proper</i>     |
|                          |                     | <i>authorities as shown by</i>    |
|                          |                     | <i>the proof. But have</i>        |
|                          |                     | <i>been improperly and</i>        |
|                          |                     | <i>illegally omitted from</i>     |
|                          |                     | <i>the rolls.</i>                 |

In witness of which I hereunto set my hand on this *2<sup>nd</sup>* day *September* 1896

*William T. Morgan*



Indian Territory  
Northern Judicial District

And on this 3<sup>d</sup> day of September 1896  
personally appeared before me W. J. Pratt  
a Notary Public within and for said District  
and said Territory, William L. Morgan who  
being duly sworn upon his oath states that  
the facts set forth in the foregoing Application  
are true

Sworn to and subscribed before me this  
2<sup>d</sup> day of September 1896

W. J. Pratt

Notary Public

No

PETITION OF

William L. Morgan

for and on behalf of

himself

and heirs

W. J. Pratt  
and W. J. Pratt

Attorney for Petitioner.



Exhibit

\$

copy.

1

United States of America,

Indian Territory,

Northern District.

On this day personally appeared before me, W. J. Watts, a Notary Public in and for the Northern District, Indian Territory, William S. Morgan, who being duly sworn, deposes and says: I am 52 years of age, and reside at Wagoner, Creek Nation, Ind. Ter. My grand father's name was Hugh Morgan. He was a Creek Indian by blood, speaking the Creek language as his native tongue. He belonged to the old Cowata town ~~Indian~~ <sup>old</sup> ~~KATVILL~~ in Alabama. He lived with the Creek Indians some time about 1841, and came to the Territory as a member of the Creek tribe, and was a member of the Creek Nation in Muskogee Nation. His son, John Morgan, was my father, and came from Alabama to this country with his father, Hugh Morgan. My father remained here for a time, and then went back to the old Nation in Ala., where he remained for a time, and then went to Arkansas, where I was born in 1841, and in 1848, my father with his family came back to the Creek or Muskogee Nation and resided here till 1868 with my grand father in Cowata town. Then my father left here and went to Arkansas where he resided till the war of the rebellion; and in 1865 at Ft. Gibson, in the Indian Territory, my father and I met Gabriel Jamison, an acquaintance of my father's and who resided in the Indian Territory. Jamison told me of my grand father who he was an old man, having died in the Creek Nation. In June 1868, at Fort Smith, I again met Gabriel <sup>Jamison</sup> Johnson, and he advised me to come back to the Muskogee Nation and establish my tribal rights. He told me that he was the King of the town, and that as he knew me and my ancestors personally, and knew that we were Creek Indians, that if I would come back to the Nation, he would place me and my family on his Roll of Arkansas town, as that was according to the law and customs of the Muskogee Nation.

In September of the year of 1868, I came to the Indian Territory and called on Mr. Gabriel Jamison, at his home and had a talk with him in regard to my being enrolled. He told me that he had seen Judge Wesley Tiger and Judge Stidham, of the Muskogee Nation, and that they had said to him that they knew my grand father, Hugh Morgan, and also my

father John Morgan, and personally knew that they were Creek Indian by blood, and him, Jamison, to place me on his town Roll, as it would lawful and just. So Mr. Jamison, as King of his Town, enrolled me and my family, and ~~gave~~<sup>issued</sup> to me a certificate of Creek Citizenship, since which time I have lived in the Creek Nation, until recently supposing myself a bona fide Citizen. I ~~improved~~<sup>improved</sup> me a farm, and thought I was all right until, what is known as the 29.00 payment was made. . . I then received the intimation that there was something wrong about my enrollment, as I was not allowed to draw. I then went to the town King, Gabriel Jamison, and suggested to him that there was something wrong about my enrollment. He said he would have everything fixed all right, and I supposed he had done so, when what was known as the \$14.00 payment was made. I was again refused participation in same. . . I was satisfied that there was something wrong about my enrollment.

In July, 1906, I filed an application with the ~~Citizenship Commission~~<sup>Citizenship Commission</sup> of the Muskogee or Creek Nation, to be admitted as a ~~Creek Citizen~~<sup>Creek Citizen</sup>. I was required by that body to give bond for the cost in the case, which bond I gave. I asked for subpoenas for my witnesses, supposed that they were issued, but none of them were ever served, hence I was forced to get my witnesses as best I could. After such seemingly delay and heavy expenses to myself, the Citizenship Commission entered upon what I cannot call a fair and impartial trial, but a sort of kangaroo hearing, the members in a ribald manner trying to intimidate my witnesses by telling them that there were heavy penalties upon if they lied in court, and the Court refused to allow me to ask my witnesses, any question in the case during the trial, and my attorney, a Creek Senegambian, with a monstrosity of ignorance, and a heavy cyclone of bombast declined with a dignity that would have made a baboon ashamed of himself, to permit me to suggest to ask a single question to be propounded to my witnesses. In short, with the true genius of a lawyer who had never studied his profession to a finish, he declined to permit me to prove that my grand father, Hugh Morgan was a Creek Indian, and that my father was his son, and that I was the son of my father, or that any of them my ancestors, my father or myself had descended from Indians; or that my ancestors had ever died with Indians, or had ever lived with Indians, all which my witnesses would have proved, but from the blast which I received from ~~my attorney~~<sup>my attorney</sup> the horn of my lawyer, which translated, informed me that he was ruining the case and did not need any help. While the trial was at fever heat, a Chairman

of the Commission balled to mt attorney and said, " Why don't you let that old white man go, and quit yer bleedin' him, for he haint got no tights here 'n this Nation." My attorney put on an affidavit expression of countance, and said, " The deeper you cut a gash, the more it bleeds". And then the Court and the attorneys and the squad that set around there laughed, and I tried to go on with the case, but it was a hard pull, and the wind up of it all was that my claim was rejected without, as I conceive, intelligent or honest consideration.

I filed a motion for a new trial on the grounds that I did not have a fair and impartial trial, and that my evidence was not heard and my case was not properly attended to. The motion was over ruled, and I prayed and obtained an appeal. To the proof of the sincerity and truth of my application for Creek citizenship as herewith shown to the court.

And I state that my application is not filed for the purpose of perpetrating fraud or imposing myself upon a people as one I do not belong but because I am descendant of the blood from Creek Indians, known and recognized in their day and generation as worthy members of the tribe.

I file this application, to the truth of which I solemnly swear.

.....*William J. Morgan*.....

Subscribed and sworn to before me on this the first day of September 1896.

.....*W. J. Morgan*.....

Notary Public.



*Exhibit A*

IN THE MATTER OF THE APPLICATION OF W. T. MORGAN FOR CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the undersigned authority, Gabriel Jamison, who being by me first duly sworn upon his oath says as follows:-

I am 58 years of age.

My Post Office address is Wybark Indian Territory. I am a citizen of the Creek Nation under the Treaty of 1866. I was the Town King of Arkansas Town for twelve years up to October 1895.

I know the claimant W. T. Morgan, and knew his father John Morgan, and his grandfather Hugh Morgan.

All three of them are Creek Indians by blood. I first became acquainted with the claimant at Fort Gibson, Indian Territory, in 1863, during the war, through John Morgan his father who was there at that time. I had known John Morgan and his father Hugh Morgan all my life. They lived in Coweta District of the Creek Nation, and I never heard any one dispute their right to Creek Citizenship. They both spoke the Creek language, Hugh Morgan speaking it better than he did English, and they were recognized as Creek Indians by blood and Creek citizens.

Hugh Morgan, the claimant's grandfather died in the Creek Nation, and when I was a small boy John Morgan left this Country and went back East, where the claimant was born, and I did not see him, again till the year 1863, when I met him at Fort Gibson, and he introduced me to the claimant as his son.

In 1888 I met the claimant in Ft Smith Arkansas, and asked what he intended to do about claiming his rights as a Creek Citizen and he told me that he was coming right away, That was in June I think. In the latter part of September the claimant came to the Indian Territory, and settled at Wagoner in the

Creek Nation and applied to me to be placed on the Creek Rolls.

I as Town King of Arkansas Town placed him and his family on the Rolls of my town, as was the custom of Town Kings to do when they were applied to by claimants whose Creek Blood they recognized. and as was allowed by the laws and customs of the Creek Nation. I talked over the matter with Judge Wesley Tiger, who was Judge of Coweta District, and Judge George Stidham, who was Supreme Judge, and they said it was all right, that the claimant was entitled to citizenship and that I ought to put him on the Rolls, and that he could afterwards transfer to another town ~~if he so desired~~. So I put the claimant on the Rolls of Arkansas Town, and gave him a certificate to that effect. Both of the above mentioned Judges said to me that they knew the father and grand father of the claimant, and knew that they were Creek Indians by blood. I have been acquainted with the claimant ever since 1898 and know that he has resided at and near Wagoner in the Creek Nation ever since that time.

*W. J. Starn.*

*Gabriel + Jamison*

Sworn to and subscribed before me this August 29, 1896.

*[Signature]*

Notary Public.



*Exhibit B*

IN THE MATTER OF THE APPLICATION OF W. T. MORGAN FOR  
CITIZENSHIP IN THE CREEK NATION OF INDIANS.

Personally appeared before me the undersigned authority, P. R. Cesar, who being by me first duly sworn, upon his oath says as follows:-

I am 52 years of age.

My Post Office is Muscogee Indian Territory. I am a citizen of the Creek Nation under the Treaty of 1866. I knew the claimant, and knew his father John Morgan, and his grand father Hugh Morgan.

I knew the claimant's grandfather Hugh Morgan here in the Creek Nation before the War. He was a Creek Indian by blood, was recognized as a citizen of the Creek Nation, plainly showed his Indian blood, and spoke the Creek language. My understanding is that he died in the Creek Nation.

I met the claimant and his father John Morgan in Fort Gibson, Indian Territory in the year 1863 during the war. They found out that I knew Hugh Morgan and asked me what had become of him.

John Morgan the father of the claimant spoke Creek and convinced me that he was the man he represented himself to be and that he was the son of Hugh Morgan, whom I knew, and he also told me that the claimant was his son.

I met the claimant here in Muscogee in 1891 or 1892 and recognized him as being the man I had known in Fort Gibson in 1863. He has been living in the Creek Nation at or near Wagoner I. T. ever since that time.

I have no interest in the prosecution of this claim whatever.

Sworn to and subscribed before me this August 29, 1896.

*P. R. Cesar*  
\_\_\_\_\_  
*Notary Public.*

*Exhibit C*

IN THE MATTER OF THE APPLICATION OF W. T. MORGAN FOR CITIZEN-  
SHIP IN THE CREEK NATION OF INDIANS.

United States of America )  
Indian Territory ) SS  
Northern District )

Personally appeared before me the  
undersigned authority, Samuel Barnett, who being by me first duly  
sworn upon his oath says as follows:-

I am past seventy five  
years of age. I can remember when the Government surveyed the  
State of Alabama, as I was a good sized boy then.

My Post Office is Muscogee Indian Territory. I am a  
citizen of the Creek Nation under the stipulations of the Treaty  
of 1866. I was born on the old Creek Reservation in the State  
of Alabama, and was owned by one of the daughters of Big Warrior  
who was chief of the Creek Nation. I was carried to the State  
of Texas when I was a good sized boy. I came from there to the  
Creek Nation, Indian Territory. I am still active, and retain  
my faculties. I know the claimant W. T. Morgan. I knew Hugh  
Morgan and John Morgan, who I am told were the grand father and  
the father of the claimant, back in the State of Alabama, where  
they used to come to my Old 'Mistress' house. John Morgan was  
the son of Hugh Morgan, and they were both recognized Creek  
Indians, and citizens of the Creek Nation. They both spoke the  
Creek language. I think they both belonged to Coweta Town, in  
Creek Nation. They both left the old Creek Reservation in the  
State of Alabama before I left there, and I never saw Hugh Morgan  
afterwards, but when I came to the Indian Territory I saw and knew  
John Morgan, who was then living here. He was a member of  
Coweta Town, and was a recognized citizen of the Creek Nation.

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This ~~document~~

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The last time I saw John Morgan was just a short time before the Civil war , and before Opothellohale died. Then he left the Tribe and I do not know where he went to or what became of him.

I have no interest whatsoever in the prosecution or success of this claim.

Samuel + Barnett

Witness

A. W. Gibson

P. Hollingbery

Sworn to and subscribed before me this the 1st., day of September, A. D. 1896.

A. W. Gibson

Notary Public.

1875



Indian Territory  
Creek Nation

I, S. L. P. Perryman do solemnly swear that I am a citizen of the Creek Nation and that I was born in the State of Georgia during the year of 1840. That in the latter part of the year 1894 of the Creek Council of said Nation in said year of 1894 said Council passed a bill through both branches of said body prohibiting from being from issuing or issuing certificates of citizenship in said Creek Nation to any applicant for citizenship in the Creek Nation.

Said bill was then signed and was approved by me as Principal Chief of said Nation. That at the time I signed said bill, it had always been the custom to leave the question as to who were or were not entitled to citizenship in their respective towns to the Council and it was customary for each town meeting to make up his own roll for each payment and submit the same to the consideration of the National Council.

That prior to the passage of the Council Act of 1894 as aforesaid, there was no

Law of the Creek Nation prohibiting the  
Tribes from making said collection  
~~it has been the custom for some time~~  
~~and it is now the custom~~

J. C. Perryman

Subscribed and sworn to before me  
this 20 day of September 1896.

E. S. Perkins

Notary Public

Commission Expires April 24<sup>th</sup> 1897.

Affidavit of  
Gabriel Jamisin.

---

Placed in No. 108.

near station

Indian Territory  
Northern Judicial Division}

Now on this 31<sup>st</sup> day of August 1896  
personally appeared before me W J Watts  
a Notary Public within and for said  
Judicial Division and said Territory  
Gabriel Jamison who being duly  
sworn upon his oath states that  
during the year 1893 ~~he~~ was Term Chief  
of Arkansas Term. that during the  
year 1893 as aforesaid ~~he~~ received orders  
from the Supreme Judge, <sup>through the district judge</sup> Wesley Tiger  
to enroll upon the Census Roll the  
names of A O Perry, <sup>Mary J</sup> ~~J~~ Wasson and



John B. Hale

James A. Hancock, Jacob Walker  
J. M. Clark, Ester Clark, G. W. Miller  
Isaac Walker, Edmund B. Cady,  
William S. Morgan. <sup>legally</sup> I further state that  
during the month of October 1888 I  
as Town Chief of Arkansas Town enrolled  
the names of William S. Morgan and  
his family upon the Census Roll of  
said Town and they were duly recog-  
nized as Citizens of the Muscogee Nation  
enjoying all the rights, privileges and  
immunities of Citizens of said  
Nation. That it was the usage and  
Custom for the Town Chiefs of the  
Several Towns of said Nation to enroll  
as Citizens such persons as the Courts  
and Council of the said Nation so  
ordered to be enrolled. That such usage  
and Custom was the Law until during  
the year 1894 when both branches of  
the National Council of said Nation  
passed an act prohibiting the enroll-  
ment of persons claiming Citizenship  
by the Town Chiefs of the Several Towns  
of said Nation. Affiant further  
states that after he had enrolled  
the names of the above mentioned parties  
upon the Census Roll of Arkansas Town



under the order of the Judge of  
the District Court, that one William  
Perryman prosecuting Attorney succeeded  
in having me indicted for Treason  
against the government of the Muscogee  
Nation, that after a fair, impartial  
and careful investigation of the charges  
preferred against me the Court held  
that I had been guilty of no violation  
of the laws of said Nation, that I had  
only discharged my duty under orders  
from the District Judge, and thereupon  
promptly discharged me from Custody

Witness to Signature  
W. B. Watts

his  
Gabriel X Garrison

Mark

Sworn to and subscribed before  
me this 31<sup>st</sup> day of August 1896

W. B. Watts  
Notary Public

BEFORE THE DAWES COMMISSION, VINITA, INDIAN TERRITORY.

William T. Morgan, and :  
seven children. :-----Plaintiff.

VS. ( Motion to dismiss.

The Creek Nation,-----Defendant.

Comes the said defendant, the Creek Nation, and moves this Commission to dismiss this case because it appears from the affidavit of the plaintiff filed in support of his said application that he filed an application with the Citizenship Commission of the defendant to be admitted or readmitted as a Creek citizen and after a trial the application was rejected and after a motion for new trial was over-ruled he ~~appears~~ appealed to the U.S. Court for the Northern District I.T.; wherefore the defendant says this Commission has no jurisdiction of this ~~case~~ cause and that the said application should be dismissed.

S.P. Callahan,

Wm. McIntosh,  
Attorneys for defendant.

*Burns* *McIntosh* says he believes the matters and things set forth in the foregoing answer to be true.

*Burns McIntosh*

Sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_ 1896.

*John H. Rogers*

*Notary Public*

Indian Territory, )  
( Not.  
Muskogee Nation. )

She M. Rogers, ~~being duly sworn~~, says that she  
she is the principal clerk of the Citizenship Commission of the  
aforesaid Nation and the custodian of its records, do hereby  
certify that William Morgan filed an allegation in said Court on  
17th day of July 1896, asking citizenship for himself and seven  
children, named, George L., John A., Julia, Ada, James P., Thomas A  
and William B. That after hearing the evidence in the case the  
said Commission on 3rd day of Aug. A.D. 1896 decided that the said  
William T. Morgan and his said children ~~in the Muskogee Nation~~  
were not entitled to citizenship in the Muskogee Nation, a true  
copy of which decision from the record is hereto annexed.

That said Morgan has taken an appeal from the said  
decision to the U.S. Court for Northern District, Indian Territory.

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896.

THE UNITED STATES OF AMERICA  
 DISTRICT COURT OF THE DISTRICT OF COLUMBIA  
 IN RE: THE ESTATE OF JAMES EARL RAY, DECEASED  
 Case No. 1:68-cr-00017  
 MEMORANDUM OF DECISION  
 ON PETITION FOR WRIT OF HABEAS CORPUS  
 FILED BY THE DEFENDANT  
 JAMES EARL RAY, JR.  
 FOR THE DEFENDANT: [Name]  
 FOR THE PROSECUTION: [Name]  
 BY: [Name]  
 DATE: [Date]



Ocmulgee, I.T. August 3, 1886.

This case as filed before the Commission is for re-admission to citizenship in the M.N. and the applicant, William T. Morgan sets forth in his allegation that he is entitled to citizenship by blood. After a thorough investigation of evidence in the case, this Commission finds from the testimony of the applicant's witnesses that said witnesses, Gabriel Jamison and Phillip Caesar became acquainted with the applicant William T. Morgan and his father John Morgan at Fort Gibson, Cherokee Nation in the year 1863 and that during this association he as soldiers there and then the said witnesses were told by John Morgan the father of applicant William Morgan that he was of Creek descent. The evidence failed to trace his relationship by blood to any known Creek family either remaining in the country East of the Mississippi or migrating to the country West of the Mississippi, - and further he failed to produce any evidence to show that he had ever resided within the jurisdictional limits of the Muskogee Nation to sustain his claim for re-admission. The mere facts of his having been enrolled on the census rolls of the Arkansas Colored Town by the Town Chief does not constitute a right to citizenship nor is it considered as making application to the Muskogee Nation for citizenship, therefore the Commission is of the opinion and the Commission so decides that William T. Morgan and his children, George L., John A., Julia, Ada, James R., Thomas A., and William S. are not entitled to citizenship in the Muskogee Nation.

James Colbert,  
Pres. Commission.

M. McI.

Clk.

A true copy from the record.

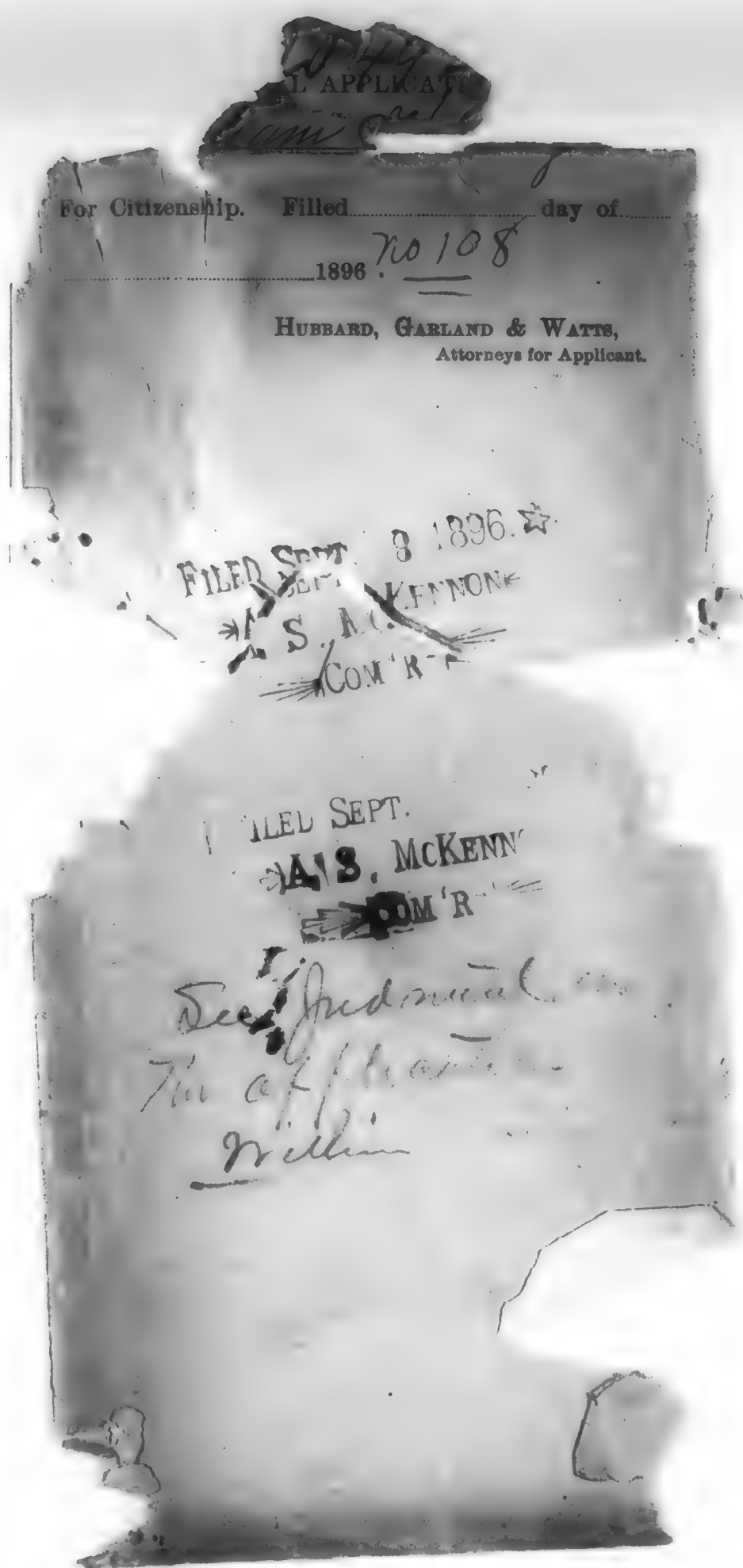
*James Colbert*  
*President*



I, W. Drake do solemnly swear that on the 4 day of September 1896, I saw a package registered at the post office at Wagoner 98 addressed to Isforheche Governor or Chief of the Creek or Muscogee Nation Okmulgee Okl, Ter. That registry receipt No 98 received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the applications of W<sup>m</sup> J. Morgan, Mary A. Masson, G. W. Miller, J. M. & Esther Clark, Edmund B. Cordy, N. C. Perry, J. N. Handcock, Jacob Walker Isaac Walker, John B. Hale, W<sup>m</sup> J. Moore, J. E. Steer, Hester N. Tom & George Foster, & affidavits of Jackey Grayson, Gabriel Jamison, N. B. Childers, L. C. Perryman Samuel Barnett, & P. R. Cleasor, in support of same, To gether with certificates of Citizenship given to the above named claimants by the chief of Arkansas Terr. Creek Nation, also permits granted to laborers and now citizens to work for several of said claimants. W. W. Drake

Subscribed and sworn to  
before me this 4 day of September 1896  
W. W. Drake  
Notary Pub

| REGISTRY RECEIPT.         |  |                                 |
|---------------------------|--|---------------------------------|
| Post Office at            | WAGONER  |                                 |
| Registered Parcel No.     | 98   | Rec'd Sept 4 <sup>th</sup> 1896 |
| of                        | E. B. Cordy                                    |                                 |
| addressed to              | Isforheche Chief Creek Nation<br>Okmulgee Okl. |                                 |
| Harry Pettes acting P. M. |  |                                 |



**End**

CR 109

No 109

W. J. Mount ~~et al~~

vs.

Creek Nation

Order of Appeal



## NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

ss.

In the United States Court for said District.  
In the matter of the application of  
**W J Mount** to be  
enrolled as citizens of the **Muskogee** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**W. J. Mount**

to be enrolled as citizens of the **Muskogee** Nation, from said  
**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **21st** day of  
**Jan, 1897.** A D. 189

*James W. Springer* Clerk.

No. 109-

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

W J Mumut & Co

VS.

Oriskany

Nation.

Received and filed this

day of

189

Secretary.

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Witness my hand and official seal at Missoula  
this the 29<sup>th</sup> day of January 1897  
Geo. P. Winston  
Clerk.

**End**

CR 110



# 720  
Mandy Newman.

FILED SEPT. 9 1896. ★  
A. S. McKENNON  
COM 'R' ★

Chicotoh St Sept 7<sup>th</sup> 1896  
Received this day of Amanda Newman  
per her attorney Nelson & Libby copy  
of application and evidence in case  
# 720 of Amanda Newman et al for  
Citizenship in the Creek Nation  
Roly McIntosh  
Acting Chief Messenger Nation

By  
J. M. Callahan  
Print Secy

The State of Texas )  
 County of Hayes ) D. fine me  
 Clerk of the County Court in and for  
 Hayes County State of Texas personally  
 appeared, Rose Matts, to me known  
 who being duly sworn on oath states  
 that she is the mother of Mandy Newman  
 of Muscogee Indian Territory, that she  
 was formerly a slave & belonged to Anna  
 Kernal, who was of Indian blood, that  
 she resided with her in the Indian  
 Territory, and that her said daughter  
 now resides in or near Musc. in the  
 Indian Territory & that she was twelve  
 years old when she arrived in the Indian  
 Territory, that she was born to the  
 Indian Territory from the State of Alabama  
 by Anna Kernal, that said Anna  
 Kernal had two brothers named respectively  
 George & Tom - Rose <sup>her</sup> Matts  
 m

Witness  
 Ed J L Green

Sworn to and subscribed  
 before me this the 10<sup>th</sup> day  
 of February A.D. 1887.  
 Jas G. Burleson  
 Clerk Co. Ct. Hayes Co. Texas.

*Manda Reimann*



Before the undersigned authority personally appeared Phyllis Hango and made oath in due form of law as follows to wit: That she is about 50 years old and came to the Creek Nation with the Indians from Alabama, that she was a slave and belonged to a Creek Indian whose name was Ghat Yargu, That she knew Rose Kernal and that she emigrated to the Creek Nation with the Indians from Alabama and resided in the Creek Nation as the slave of Anna Kernal who was a citizen of the Creek Nation by blood.

That she knows the said Rose Kernal to be a person of African descent, and that Maudy Newman the daughter of the said Rose Kernal and applicant for citizenship returned to the Creek Nation by invitation from Creek citizens in 1880 and remained continuously in said Nation ever since. That the said Maudy Newman <sup>the</sup> applicant for citizenship was by act of the Creek Council permitted to build a home and was accorded all the rights and privileges of a citizen of said nation except to share in the moneys, that said Maudy Newman was always owned by a Creek citizen until



the close of the war, but had been taken away by her creek master when she was a young person, her young mistress having married a white man in the State of Arkansas. This affiant is a recognized citizen of the Creek Nation and her name appears on the authenticated rolls of the same, and her husband whose name was Scipio Sango was a member of both branches of the Creek Council and a King of the Canadian Colored Town.

Witness:

her  
Phillip Sango  
Mark

L. W. Landrum

Subscribed and sworn to before me  
Sept. 5<sup>th</sup> 1894.

A. E. Sango  
Notary Public.

ndy Newman

Before the undersigned Authority personally appeared John Kernal and made oath in due form of law as follows to wit: That he is about 62 years old and came to the Creek Nation with the Indians from Alabama, That he was a slave and knew Rose Kernal to be the slave of Anna Kernal who was a citizen of the Creek Nation by blood.

That the said Rose Kernal emigrated from Alabama with the Indians and resided in Creek Nation until she was carried to Arkansas by her young mistress, That her daughter Mary Newman the Applicant for citizenship returned to the Creek Nation by invitation of Creek Citizens and was permitted by an act of the Creek Council to build a home and enjoy the rights

Neuman

Before the undersigned authority personally appeared John Kernal and made oath in due form of law as follows to wit: That he is about 62 years old and came to the Creek Nation with the Indians from Alabama, That he was a slave and knew Rose Kernal to be the slave of Anna Kernal who was a citizen of the Creek Nation by blood.

That the said Rose Kernal emigrated from Alabama with the Indians and resided in Creek Nation until she was carried to Arkansas by her young mistress, That her daughter Mindy Neuman the Applicant for citizenship returned to the Creek Nation by invitation of Creek Citizens and was permitted by an act of the Creek Council to build a home and enjoy the rights and privileges of a citizen of the Creek Nation except to share in the moneys. This affiant states further that he is a citizen of the Creek Nation and held the Office of Dist. Judge of Muskogee for a period of ~~six years~~ <sup>in</sup> months,

witness.

John C. Neal

A. C. E. Neal

Subscribed and sworn to before me  
this 5<sup>th</sup> day Sept. 1896,  
H. L. Lugo,  
Notary Public,  
My commission expires Dec. 1897

# 720  
Mandy Newman.

★  
9 1306.  
FILED SEPT.  
A. S. MCKENNON  
COM 'R' -

#No 720  
Case of  
Mandy Newman et al  
for citizenship in the  
Creek Nation

Filed Sept 9-1896  
A. S. McKenna  
Clerk

Register

Filed by  
Nelson & Fisher  
Muscoy et al.  
9.7.

day of September 1896

Nelson & Fisher  
Notary Public.



To the Honorable Daws Commission

The application of Amanda Newman and as next friend for her children Isaac Newman, Wesley Newman, Aaron Newman, Alley Newman, Leathan Newman, Lamm Newman, Rosa Newman, ~~Healy Lewis~~, Healy Newman, Lewis Newman, and Ernest Newman, and Antony Newman her grandchildren, respectfully shew as follows to wit:

That she is of African descent and is entitled to citizenship in the Creek Nation and to enrollment therein. That she is about 50 years old and has resided continuously in the Creek Nation for the past 16 years, and have been accorded all the rights of a Creek citizen except to draw money. She built her a home and now lives in it without interruption as she has for 16 years with this single exception to wit: The Prosecuting atty of the Creek Nation, Jeffrey Smith, attempted when Col R. D. Owen was Indian Agent, attempted to seize her home and put her out



but after an investigation by  
the U.S. Indian Agent, the said  
Smith and others were ordered  
by Col Owens the U.S. Indian  
Agent to let this applicant  
remain undisturbed as she  
was entitled under the laws  
to enjoy the privileges of a  
Creek Citizen.

And she states further she was  
a slave of Creek Citizens before  
the war, and as a young girl  
arrived in the Creek Nation until  
she was taken to Arkansas. Peggie  
Kernal who was a Creek by  
blood and who married Quinn  
McDaniel a white man who took  
his wife and her slaves to Arkansas.

Mrs Peggie McDaniel returned to  
the Territory and died in the Creek  
Nation some years after the war.

Before her death and during the  
war Peggie <sup>McDaniel</sup> gave this applicant  
to her daughter Sallie McDaniel  
who married a Creek Indian  
named Lawson. This marriage  
took place during the war.  
After the war, Sallie Lawson

and her husband returned to the  
Creek Nation, they having lived  
in Hempstead Co Arkansas  
during the war.

1 She states further that her  
mother and her grandmother  
were slaves in the Creek Nation  
and <sup>her grandmother</sup> resided in the Creek Nation  
when the war began.

She states further that the  
Creek <sup>Nation</sup> recognized her as a  
person entitled to citizenship  
by acts of Council passed  
about 14 or 15 years <sup>ago</sup> and ~~has~~  
always been so regarded by  
the Creek people, and her  
descendants as well.

She bases her right to be  
enrolled upon the facts that  
she was a slave of Creeks,  
(2) that she was lawfully in  
the country prior to 1866 when  
the treaty was made, and (3) is  
a descendant of persons ~~of~~  
(mother & grandmother) of African  
descent, who lawfully resided  
in the Creek Nation, and were  
citizens of the Nation under  
the Treaty of 1866, and (4) that she  
lawfully resided among the Creeks by consent of law.

Wherefore she prays that  
she and her children  
may be enrolled as  
citizens of the Creek Nation  
Terr.

Mandy Newman  
her  
husband

A. L. S. Sange,

subscribed and sworn to before me this 21st  
day of September 1896

John H. Fisher  
Notary Public

#10 720  
Case of  
Mandy Newman et al  
for citizenship in the  
Creek Nation

Filed Sept 29-1896  
A. S. McKinnon  
Clerk

Filed by  
John H. Fisher  
Notary Public  
Mandy Newman  
et al

Before the Daves Commission, Vinita, Indian Territory.

Amanda Newman for herself:  
and her children, Isaac :  
Wealey, Aaron, Alley, : persons of African descent--Plaintiff.  
Leather, Lann, Rosa, :  
Wealey, Lewis, Ernest and :  
Anthony Newman. :

vs. ( Petition to be enrolled as citizens.

The Creek Nation,-----Defendant.

-----?-----

1 Comes the said defendant and denies that the plaintiff are entitled to citizenship and to enrollment therein.

Denies that she has been accorded all the rights of a Creek citizen except to draw money; denies that the defendant was ever recognized the said Amanda Newman as a person entitled to citizenship by Act of its Council at any time and denies that she and her descendants have ever been so recognized by the Creek people.

2. The defendant further says that the plaintiff and her descendants are persons of African descent and the allegations in the said complaint does not show that she was lawfully residing in the country before the War. That she was in the Creek Nation when the Treaty of 1866 was made; that she had returned to said Nation in one year after the Ratification of said Treaty or that she had been permitted by the laws of said Nation to settle within its limits as a citizen, but on the contrary it appears on the face of said petition and affidavits in support thereof that said plaintiff was not lawfully residing in the Creek Country at the making of said Treaty and did not return in one year after the ratification of the said Treaty and did not return until the year 1890 and has never been permitted to settle within



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the limits of the jurisdiction of the Creek Nation as a citizen thereof. *311*

Wherefore the defendant says that the said plaintiff and her descendants are not entitled to be enrolled as citizens of this Nation.

S. P. Callahan,  
Rusby McIntosh,  
Wm T. DuVal,  
Attorneys for defendant.

*Wm T. DuVal* says that he believes the matters and things set forth in the foregoing answer to be true.

*Rusby McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896  
*Vol. 1 of my book of records*  
*done by the Clerk of the Court*  
*at Muskogee, Okla.*  
*Wm T. DuVal*  
*Oct 22, 1896*

**End**

CR 111

No. 111

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Dr. Newman*

VS.

*Wm. H. ...*

Nation.

Received and filed this

day of

189

Secretary

vs. Nation, as follows:





## NOTICE.

187

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT

In the United States Court for said District.

In the matter of the application of

S. R. Newman et al

to be

enrolled as citizens of the Creek

Nation.

TO THE Commissioner of the Five Civilized Tribes

You are hereby notified that an answer has been taken in the matter of the application of  
S. R. Newman and his partners

to be enrolled as citizens of the

Commission

Nation, from said

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested  
by said Court to transmit at the earliest time practicable to said Court at Muskogee, Indian Territory, a  
transcript of all the entries made in the matter of your tribunal relating to the case, together with the  
depositions and testimony taken before said tribunal, the petition presented on the application, and all original  
papers relating thereto

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof at Muskogee, Indian Territory, on 12th day of

Jan. 1897.

Clerk.

**End**

CR 112

United States of America  
Indian Territory  
Northern District

Personally appeared before me S. L. Bayles  
a Notary Public for the State and  
District of Oklahoma M. O. Gammely  
who after being by me duly sworn  
deposits and sends by mail to  
the Chief of the Creek Nation  
Certified copies of the Citizenship  
papers in the Cases of Eddie  
and Walter Oliver - consisting of  
two applications and four affidavits.  
for to send me a receipt  
for same but he has failed to  
do. This the 9<sup>th</sup> day of Sept. 1896.

M. O. Gammely

Subscribed and sworn to  
before me this 9<sup>th</sup> day of  
September A.D. 1896

S. L. Bayles Notary Public  
Northern District of Ok.

Corrected Record July 10th 1899



Lawyer's Brief.

At Chequah, Cherokee Nation Ind. Terr.  
August 1876.

Before the Honorable " " " " " " " "  
Commission sitting at Chequah Ind. Terr.,  
in the hearing and determining of claims  
for Indian citizenship, in the respective  
five civilized Tribes of the Indian Territory

In the case of  
Eddie Oliver  
Mattie Oliver  
versus  
The Creek Nation.

Plaintiff  
Defendant  
Citizenship

Comes now the Plaintiff in the above  
cited cause, through their Attorneys  
Rasmus & Thornley, and present their  
two (2) applications, and four (4) pages  
of testimony in affidavit form in  
subscribing of their names and submit the  
same without argument.

Respectfully,  
Rasmus & Thornley  
Attorneys for Plaintiffs

# Application for Cherokee Citizenship.

To the Honorable, the National Council of the Cherokee Nation, Tablequah, Ind. Ter.

The undersigned, Eddie Oliver, your petitioner, makes this her application for re-admission to citizenship in the Creek Nation, Indian Territory, as a Creek Indian by blood, in accordance with the Constitution of the Creek Nation, and respectfully submits the following statement of facts for the grounds of her claim, to-wit:

That she is the daughter of one Nellie Prodenthal whose husband and the father of Petitioner was Bob Prodenthal Creek Nellie's 1st husband when she lived in the Creek Nation was Peter Gration who was a Creek Indian and said Nellie Prodenthal + Peter Gration who your petitioner firmly believes were Creek Indian S by blood and duly acknowledged member S of the Creek tribe of Indians, and from said Nellie Prodenthal whom she derived her Creek Indian blood, entitling her to citizenship in the Creek Nation, Indian Territory. Nellie Prodenthal's father was Jim Gration her mother Jennie Gration both Creek Indians.

That name and the name of said ancestor should be found to appear on the Census Rolls taken and made of Creek east of the Mississippi River, in the years 1850, 1848, 1851 and 1852.

And your petitioner respectfully awaits the time this her application for re-admission, together with the proof in support thereof, herewith submitted, shall be truly heard and passed upon in accordance with said Constitution, and the statutory laws of the Creek Nation, and the precedents established and of public record in such cases.

That the age of your petitioner is 40 years old; that her post office address is Keesboro, Rice County, Texas, and that her family by virtue of Creek Indian blood, consists of the following named to-wit:

| NO. | NAMES.           | SEX. | AGE. | RELATIONSHIP.          | REMARKS. |
|-----|------------------|------|------|------------------------|----------|
| 1   | Balm Oliver      | girl | 23   | daughter of Petitioner |          |
| 2   | Joel Oliver      | boy  | 20   | son " "                |          |
| 3   | Sallie G. Oliver | girl | 19   | daughter " "           |          |
| 4   | Cassie Oliver    | girl | 16   | " " "                  |          |
| 5   | Prince C. Oliver | boy  | 14   | son " "                |          |
| 6   | Mleta Oliver     | girl | 10   | daughter " "           |          |
| 7   | Nellie A. Oliver | girl | 8    | " " "                  |          |
| 8   | Edward P. Oliver | boy  | 6    | son " "                |          |
| 9   | Erna V. Oliver   | girl | 3    | daughter " "           |          |

IN WITNESS WHEREOF, I have hereunto set my hand at Helix 6 on 24th this the 20<sup>th</sup> day of August, A. D. 1896.

ATTEST:

J. B. Borth

Eddie Oliver { Mark }

Subscribed and sworn to before me at Keesboro Texas this the 20<sup>th</sup> day of August, A. D. 1896.



OK

Wesorthine  
Notary Public Kees Co. Tex.

# Application for Cherokee Citizenship.

To the Honorable, the National Council of the Cherokee Nation, Tahlequah, Ind, Ter.:

The undersigned, Mattie Oliver your petitioner, makes this her application for re-admission to citizenship in the Creek Cherokee Nation, Indian Territory, as a Creek Cherokee Indian by blood, in accordance with the Constitution of the Creek Cherokee Nation, and respectfully submits the following statement of facts for the grounds of her claim, to-wit:

That she is the daughter of one Nellie Bradenthal whose husband and the father of Petitioner was Bob Bradenthal son of one Nellie's 1st husband who she lived in the Creek Nation was Peter Graison who was a Creek Indian and said Nellie Bradenthal - Peter Graison who your petitioner firmly believes were Creek Cherokee Indian & by blood and duly acknowledged members of the Cherokee tribe of Indians, and from whom she derived her Creek Cherokee Indian blood, entitling her to citizenship in the Cherokee Nation, Indian Territory. Nellie Bradenthal's father was James Graison & his mother James Graison both Creek Indians

That her name and the name of said ancestor should be found to appear on the Census Rolls taken and made of Creek Cherokees east of the Mississippi River, in the years 1835, 1848, 1851 and 1852.

And your petitioner respectfully awaits the time this her application for re-admission, together with the proof in support thereof, herewith submitted, shall be truly heard and passed upon in accordance with said Constitution, and the statutory laws of the Cherokee Nation, and the precedence established and of public record in such cases.

That the age of your petitioner is 33 years old that her post office address is Hillsboro, Hill Co. Texas and that her family by virtue of Creek Cherokee Indian blood, consists of the following named to-wit:

| NO. | NAMES.          | SEX. | AGE. | RELATIONSHIP              | REMARKS. |
|-----|-----------------|------|------|---------------------------|----------|
| 1   | Pearl Oliver    | girl | 15   | daughter of Petitioner    |          |
| 2   | Timma Oliver    | girl | 12   | "                         | "        |
| 3   | Sadie Oliver    | girl | 7    | "                         | "        |
| 4   | Luena Oliver    | girl | 3    | "                         | "        |
| 5   | Miles Oliver Jr | boy  | 1    | son of the old Mr. Oliver | "        |

IN WITNESS WHEREOF, I have hereunto set my hand at Hillsboro Texas this the 20th day of August A. D. 1896

ATTEST:

J. H. Smith  
J. H. Smith

Mattie X Oliver { Witness }  
Mark

Subscribed and sworn to before me at Hillsboro Texas this the 20th day of August A. D. 1896



O.K.

Notary Public  
Notary Public Hill Co. Texas



The State of Texas  
County of Hill

SS.

In the case of Mattie Oliver claimant for citizenship  
in the Creek Nation, Indian Territory, as a Creek Indian by blood, before Creek Indian author-  
ity at Tahlequah, Creek Nation, Indian Territory:

Personally came this day before me Tom Bell Nelson Phillips a Notary  
Public within and for the County of Hill & State of Texas aforementioned duly authorized  
to administer oaths. Tom Bell to me personally  
well known to be reputable and entitled to credit, and who being by me first duly sworn according to law,  
deposes and says: My name is Tom Bell  
my age is 47 years; my postoffice address is Hillboro Texas  
I am a Sheriff by occupation:  
I am a citizen of the County of Hill & city of Hillboro, State of Texas.

And affiant declares in relation to the above-named case as follows, to-wit:

I was born and raised in Hill County Texas, and  
I have lived here, in the county, all my life.  
I knew Nellie Bradenathall well in her lifetime  
I knew her children well, Mattie Oliver, was  
the daughter of Nellie Bradenathall, & ~~was the~~  
Bob Bradenathall her husband.

I have often heard Nellie Bradenathall say that  
she was a Creek Indian, and it evidently appeared  
from her appearance that she had Indian blood  
in her, and to a judge, that it was Creek blood.

Tom Bell

Subscribed and sworn to before me  
this Aug 24th, 1896

Wesonthier  
Notary Public Free Co Tex

OK

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United States of America.

The State of Texas  
County of Hill

ss.

In the case of Edie Oliver claimant for citizenship  
in the Creek Nation, Indian Territory, as a Creek Indian by blood, before Charles Indian authority  
at Tahlequah, Cherokee Nation, Indian Territory:

Personally came this day before me Nelson Phillips a Notary  
Public within and for the County & State aforementioned duly authorized  
to administer oaths Tom Bell to me is personally

well known to be reputable and entitled to credit, and who being by me first duly sworn according to law,  
deposes and says: My name is Tom Bell

my age is 47 years, my post office address is Hillsboro, Hill Co Texas

I am a Sheriff of Hill Co Texas by occupation.

I am a citizen of the city of Hillsboro, Hill Co Texas

And affiant declares in relation to the above-named case as follows, to-wit:  
I was born and raised in Hill County Texas  
and have lived here all my life; I  
knew Nellie Broadenthal, well, she  
died here in 1884, I knew her for  
some time like 30 years or more, her  
death - how frequently heard in school  
of her time in the Creek Indian Nation  
and that she was a Creek Indian  
and it was evident from her ap-  
pearance that she had Indian  
blood in her.

Tom Bell  
Subscribed and sworn to before me  
this Aug 24th, 1896

Nelson Phillips  
Notary Public  
Hill Co Texas

O.K.

United States of America,  
The State of Texas,  
County of Texas.

In the case of *Mattie Oliver* claimant for citizenship  
*Creek* *Creek*  
in the *Cherokee* Nation, Indian Territory, as a *Cherokee* Indian by blood, before *Cherokee* Indian authority  
at *Tablequah*, *Cherokee* Nation, Indian Territory:

Personally came this day before me *Nelson Phillips* a Notary Public

within and for the *State & County* aforementioned duly authorized  
to administer oaths *G. J. Jarner* to me personally

well known to be reputable and entitled to credit, and who being by me first duly sworn according to law,  
deposes and says: My name is *G. J. Jarner*

my age is *51* years, my post office address is *Hillsboro Hill Co Texas*

I am a *Carpenter* by occupation.

I am a citizen of the *County of Hill and State of Texas, & city of Hillsboro*

And affiant declares in relation to the above-named case as follows, to-wit:

I know that *Mattie Oliver* is the child of *Nellie Braden*, & her husband *Bob Braden*. I knew  
when *Mattie* was a baby nursing her mother  
I knew *Nellie Braden* for about 35 years  
ago - I have had her in my family, and  
she has waited on my wife frequently, when  
my wife was confined in child birth, I have  
frequently heard *Nellie* say that she was a  
*Creek Indian*, and she showed in her looks  
plainly that she ~~was~~ had *Indian blood*  
in her - and it was generally understood, and  
never heard it questioned in my life but that  
*Nellie Braden* was a *Creek Indian*  
I have lived in *Hill County* for the last 42 years.

*G. J. Jarner*

Subscribed and sworn to  
before me this Aug 20<sup>th</sup>, 1896

*OK* *Nelson Phillips*  
Notary Public Hill Co Texas

7020

Edwin Oliver et al  
v.

Green Station

FILED SEPT 10 1896  
A. S. MCKENNON  
—•—•—•—•—•—•—

Rasmus D.

United States of America, }  
The State of Texas } ss.  
County of Hill

In the case of Edie Oliver claimant for citizenship  
in the Creek Nation, Indian Territory, as a Creek Indian by blood, before Creek Indian authority  
at Tahlequah, Creek Nation, Indian Territory:

Personally came this day before me Nelson Phelps a Notary Public

within and for the Hill County aforementioned duly authorized  
to administer oaths G. Y. Jarver to me personally

well known to be reputable and entitled to credit, and who being by me first duly sworn according to law.

deposes and says: My name is G. Y. Jarver

my age is 51 years, my post office address is Nelson, Hill County Texas

I am a Carpenter by occupation.

I am a citizen of the County of Hill and State of Texas - City of Hillboro

And affiant declares in relation to the above-named case as follows, to-wit:

I know Edie Oliver, the eldest child here, of  
Nellie Bradenthal and have known her  
ever since she was a child. I knew Nellie  
Bradenenthal continuously for about 25 years.  
I have had her in my family and she has  
waited on my wife frequently when my  
wife was confined in child birth. I have  
frequently heard Nellie say that she was  
a Creek Indian, and she showed in her looks  
plainly that she had Indian blood in her. And  
it was generally understood and I never  
heard it questioned in my life but that  
Nellie Bradenthal was a Creek Indian.  
I have lived in Hill County for the last  
42 years

G. Y. Jarver

Subscribed and sworn to before me  
this Aug. 20<sup>th</sup> 1896

O.K.

Nelson Phelps  
Notary Public  
Hill Co Texas



OFFICE OF THE COMMISSIONER OF THE GENERAL LAND OFFICE

WITNESSES AND THE LAND OFFICE IN THE MATTER OF THE

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Before the Dawes Commission, Vinita, Indian Territory.

No. 1. Wife Oliver, and :  
nine children,-----10 persons. :  
-----Plaintiff.  
No. 2. Mattie Oliver, and :  
five children,-----6 persons. :

VS. ( Answer.

The Creek Nation,-----Defendant.

Two cases. 16 persons.

/ The defendant for answer says: That the facts set forth in the applicants petition show that they and all their witnesses are residents of the State of Texas.

2 That the said applicants were born outside of this Nation and have never resided therein; that they do not show by their own or the statements of their witnesses that they are of Muskogee descent, not further removed than the fourth degree.

3 That the witnesses whose affidavits are filed with said application are not competent, and their testimony is merely hearsay from the mother of the applicants and from her appearance.

4 The defendant denies that the applicants are Indians and ~~are~~ Aliens and ~~says they~~ are not entitled to citizenship in this Nation nor any of its privileges under the laws thereof.

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

~~Witness~~ says that he believes the matters and things set forth in the foregoing answer to be true.

Bunny McIntosh

Sworn to and subscribed before me this 11 day of April 1896.  
Witness my hand and seal of the Dawes Commission at Vinita, Indian Territory, this 11th day of April 1896.

**End**

CR 113

# 780

FILED SEPT. 9  
A. S. McKee  
Com 'R'

Chesapeake S. Dec 20 1896  
Receipt of Sarah Pamel this the  
under of Sept. '96. per Nelson & Lister. Re.  
attorneys, Cape of application and  
evidence in Case # 73 of what brick  
for citizenship in the United States.  
Noty M. J. T. L.

Noty M. J. T. L. M. J. T. L.

134

J. P. Callahan

Printed by



Before the Honorable Dawes Commission.

Application of Sarah Parish for citizenship  
in the Creek Nation.

Come now Sarah Parish and declares  
her right to citizenship in the Creek Nation  
by virtue of the following facts to-wit:-

That she is of African descent, and is a  
daughter of Flora Franklin, who is a daugh-  
ter of Monday Durant, who was of African de-  
scent, and a recognized and enrolled citizen  
of the Creek Nation under the Treaty of 1866  
between the United States and said Nation.

That she has resided in the Creek Nation  
continuously since the spring of 1880, and was  
but 15 or 16 years of age when she arrived in  
said Nation in the year 1880.

That during all her residence in the Creek  
Nation she has never been asked to pay  
a permit, nor has her right to reside in  
said Nation ever been denied or objected  
to, and she has been permitted to build a  
home, and improve a place in said Nation  
under special act of the Creek Council in  
1881 or 82,

That while her right to reside in said  
Nation has never been denied or objected to  
yet she has never been placed on the rolls

of said Nation, neither has she been permitted  
to participate in the annuities and funds  
distributed among the members of said Nation.

Wherefore your applicant, Sarah Parish,  
prays that she may be admitted and en-  
rolled as a citizen of said Creek Nation.

Nelson Lieber for Applicant.

Sarah Parish says that the statements of the  
foregoing application are true.

Sarah Parish

Subscribed and sworn to before me this 25<sup>th</sup>  
day of August 1896

John E. Lieber,

Notary Public.

Indian Territory Northern District S. S.

In the matter of the application of Sarah  
Parish and descendants  
for citizenship in the Creek Nation

On this 31<sup>st</sup> day of August 1886 personally ap-  
peared before me a Notary Public within and  
for the above named District, Flora Franklin  
aged <sup>about</sup> 65 years, whose P. O. address is Lee  
Ind. Ter., who after being duly sworn declared  
in relation to aforesaid claim as follows:

That she is of African descent and was brought  
to the Creek Nation from Alabama as a slave. That  
she was taken from the Creek Nation by her master  
James Mc Daniel sometime before the late war and  
that she returned to the Creek Nation in the  
year 1880 and has resided there ever since.

That affiant is the daughter of Monday Durant  
who was of African descent and an enrolled  
and recognized citizen of the Creek Nation  
under the Treaty of 1866 between the United States  
and said Creek Nation. That affiant is the  
Mother of Sarah Parish who was born in  
lawful wedlock, and who has resided in the  
Creek Nation since the year 1880 and is now  
residing on her own place in said Nation,  
the said Sarah Parish and her descendants  
being permitted to reside in said Creek Nation,  
and own a home therein under act of the Creek  
Council passed in 1881 and 82

That said Monday Durant was a member of the  
Creek Council, and also Town King of one of the colored  
towns. That affiant's former husband Willis Loren  
and her son, Ketch Loren, have been required to  
work the roads by the Creek Nation as citizens  
thereof. That said Monday Durant died about  
1888 in the Creek Nation. That affiant is the  
mother of four other children as follows: Ketch  
Loren, Jane Roberts, Paralee <sup>and Marinda Humphrey</sup> Muller, all of whom  
are now residing in the Creek Nation.

Flora <sup>her</sup> Franklin  
mark

Witnesses to  
mark. { N. E. Durant  
Ketch Loren

Subscribed and sworn to before me this  
31<sup>st</sup> day of August 1896. John L. Luby  
Notary Public



# No 737  
Case of  
Sarah Parish  
for citizenship in the  
Creek Nation

---

Filed Sept 3-1894  
A S McKinnon  
Clerk

Rejected

Filed by  
Nelson Fisher  
Atty at Law  
Muskegon  
Mich



Indian Territory Northern District S.S.

In the matter of the application of Sarah  
Parish  
the Greek Nation has citizenship in

On this 25<sup>th</sup> day of August 1896 personally appeared before me a Notary Public within and for the above named District Sarah Parxich aged 31 years whose address is Muscogee Ind. Ter. who after being duly sworn declares in relation to aforesaid claim as follows:-

That she is a daughter of Flora Franklin who is of African descent. That she came to the Creek Nation when she was 15 or 16 years old, in 1880, and has resided here ever since said time. That she has been permitted to improve places in the Creek Nation under special act of the Creek Council passed in 1881 or 82, and here improvements now amount to more than \$1500.00. That affiant is of African descent.

Sarah Parish

Subscribed and sworn to before me this 27<sup>th</sup>  
day of August 1896.

John E. Sieber,  
Notary Public.



Before the Daves Commission, Vinita Indian Territory.  
Sarah Parish,----- Plaintiff.  
vs. ( Petition to be enrolled.  
The Creek Nation,-----Defendant.

The defendant for answer says: That it appears by the plaintiff's petition that she is a person of "African descent" and claims to be descendant of "Monday Durant" who became a citizen under 2nd Article of the Treaty of 1866, and that she never came to Creek Country until 1880. Defendant says that the facts alleged in her said complaint are not sufficient to entitle her to the rights of citizenship of the Creek Nation.

3. The defendant further answering, denies that the plaintiff has been permitted to build a home and improve a place in this Nation under a special Act of the Creek Council passed in 1881 or 1882 or at any other time; or that the petitioner ever had any right to reside in this Nation or enjoy the rights of citizenship and it appears from the face of her petition that she has never been on the rolls or allowed to participate in the annuities distributed among the citizens of this defendant Nation.

S. W. Callahan,

Wm. McIntosh,

Ben T. InVal,  
Attorneys for defendant.

says that he believes the matters and things set forth in the foregoing answer to be true.

Bimma M. Talosh

Sworn to and subscribed before me this 22 day of June 1896.

John H. Rogers

**End**

CR 114



No 3448

Before the Honorable Commission  
to the Five Civilized Tribes.

S. E. Palmer, et al..

vs.

Creek Nation.

Application for Enrollment as  
citizens.

Filed 9 Sept 1896  
H. M. J. J. J. J.  
clerk

Rejected

Chas Von Weise  
Muscogee  
24

S. E. Palmer et al.,.....Plaintiff,)      Petition for Citizenship in  
vs.      )      the Creek Nation.  
Creek Nation,.....Defendant.)

To the Honorable United States Commission to the Five Tribes:

S. E. Palmer, Lula Palmer, his wife, and S. E. Palmer, Jr.;  
Cassie Palmer; Henry Palmer; Lizzie Palmer; Lula May Palmer; Lottie Pal-  
mer, Emma Palmer; Ethel Palmer and Lottie Palmer, minors, by their next  
friend, S. E. Palmer; William Irvin, and Mollie Irvin, his wife; Isabella  
Tussey; Pearl <sup>Irvin</sup> Lora Irvin, and William Irvin, Jr., minors, by their  
next friend, William Irvin; Adolphus Rambo, and Melissa Rambo, his wife;  
Jimmie Roach; Henry Roach; John King; Ed Acers, and his wife, Alice Acers;  
and John Jones and his wife, Mary Ann Jones, also petitioners herein,  
respectfully show to this Honorable Commission that they are entitled to  
and are of right, members of the Creek tribe of Indians.

That John Betsey Roach, deceased, was a full blood Creek Indian;  
that he was born about the year 1814, and left Alabama with the Creek  
tribe of Indians and came west with them as far as the Mississippi River;  
where he engaged in boating, and years afterward moved to Texas, and  
died in the town of Henrietta in said state in 1886; that said John Betsey  
Roach was a son of Jonathan Roach, who was also a full blood Creek Indian;  
that Petitioner Mary Ann Jones is the daughter of Charles McIntosh, de-  
ceased; that said Charles McIntosh was a Creek Indian by blood, and had a  
brother, Chilly McIntosh, who died several years ago in the Creek Nation,  
and was for a number of years Chief of said Nation; that said John Betsey  
Roach and Mary Ann McIntosh, now Jones, were married in the year 1847, at  
the mouth of White River, on the Mississippi River; that James Roach, de-  
ceased, was a son of said John Betsey Roach and his said wife, Mary Ann;  
and that petitioner Jimmie Roach, is the daughter of said James Roach,  
deceased; that Petitioner Henry Roach is the son of said John Betsey  
Roach and his said wife Mary Ann, and was born in the year 1840; that Pe-  
titioner Mollie Irvin is the daughter of said John Betsey Roach and his said  
wife Mary Ann, and was born in the year 1852; that she was first married

to William King about the year 1878; and that Petitioner ~~John~~ King is the son of said Mollie and her said husband, William King; that said Mollie Irvin and her first husband lived together only about a year, when they separated, and that she was afterward, about the year 1878, married to Elihu Tussey; that Petitioners Melissa Rambo, Isabelle Tussey and Pearl Tussey are the children of said Mollie Irvin by her said husband, Elihu Tussey; that said Elihu Tussey died about the \_\_\_\_ day of \_\_\_\_\_, 1886; that afterward the said Mollie Irvin was married to Mr. William Irvin, ~~petitioner~~ petitioner herein; that said William Irvin is now in his family in the Choctaw Nation; that Petitioners ~~John~~ Irvin and William Irvin, aged respectively five and two years, are the children of Petitioners Mollie and William Irvin; that Petitioners ~~John~~ Rambo and Melampus Rambo were married in the Cherokee Nation in September, 1886; that they now reside near Cheek, in the Chickasaw Nation, Indian Territory; that Petitioner Lula Palmer is the daughter of said John Betsey Roach and his said wife, Mary Ann, and was born in 1861; and that she and Petitioner S. E. Palmer were married on the 6th day of November, 1886; that Petitioner S. E. Palmer, Jr., aged 14 years, Cassie Palmer, a girl, aged 13 years; Henry Palmer, a boy, aged 11 years; Lizzie Palmer, a girl, aged 10 years; Lula May Palmer, a girl, aged 8 years; Mattie Palmer, a girl, aged 5 years; Emma Palmer, a girl, aged 3 years; Ethel Palmer, a girl, aged 2 years, and Lottie Palmer, a girl, aged three months, are the children of said S. E. and Lula Palmer; and that said S. E. and Lula Palmer reside with their family near Cheek, in the Chickasaw Nation, Indian Territory; that Petitioner Alice Acers was born in 1866 and is the daughter of said John Betsey Roach and his said wife Mary Ann; and that she and Petitioner Ed Acers were lawfully married about the year 1888; that Petitioner Jimmie Roach resides in the Chickasaw Nation, Indian Territory, is a minor, and sues by her next friend, S. E. Palmer.

Wherefore Petitioners aver that they are citizens of the Creek Nation, members of the Creek tribe of Indians, and entitled to be enrolled

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as such, and to all of the property rights and privileges of citizens of said Nation and members of said Tribe.

WHEREFORE, They pray that their said claims be investigated, their rights established, and that they be enrolled by this Honorable Commission as members of said tribe and citizens of said Nation, and will ever pray, etc.

Chas. W. H. H. H.

Attorney for Petitioners.

We, S. E. Palmer and Adolphus Hambo, Plaintiffs in the above cause, being first duly sworn, on oath say that we believe the facts and allegations contained in the foregoing application are true.

S. E. Palmer

Adolphus Hambo

-----o-----

Subscribed and sworn to before me on this the 2nd day of September, A. D., 1898.

Wm. H. H. H.

Notary Public.



S. E. Palmer et al, )  
vs. )  
Creek Nation. )  
--: Deposition of Mrs. Lulu Palmer :--

Mrs. Lulu Palmer, being duly sworn on oath says: My name is Lulu Palmer; I am the wife of S. E. Palmer; we reside near Cheek, in the Chickasaw Nation, Indian Territory; I am thirty-five years of age; S. E. Palmer and I were married in Clay County, Texas, in the year of 1879; my father's name was John Betsy Roach, and my mother's name was Mary Ann Roach; she was the wife of said John Betsy Roach; my father, John Betsy Roach, died in 1880; at the time of his death he was 60 years of age; my father and mother had ten children; four of whom, John Irvin, Alice Acers, Henry Roach and myself, are now living; Mollie, my eldest sister, is now living with her third husband; and is now living in the Choctaw Nation; her first husband was William King; they were married about the year 1872, and lived together a little less than a year. When they separated; she has one child, a son, John King, about 10 years of age, by her first marriage; John King is now living in the Indian Territory, but I do not know just where; about a year after the separation my sister married a second time; her second husband was Elihu Tussey; they were married, I think, in about the year 1875; by the second marriage, she has ~~xxxxxx~~ three children living, viz: Mrs. Melissa Rambo, 18 years of age, Isabella Tussey, aged 17, and Pearl Tussey, aged 12; Elihu Tussey died about the year 1886; my sister Mollie was next married to Mr. William Irvin, with whom she is now living in the Choctaw Nation; they were married about eight or nine years ago; they were married on Wild Horse in the Chickasaw Nation; by her last marriage, my sister Mollie has two children living, viz: Lora, a girl, aged 5 years, and William Irvin, a boy, aged two years; Melissa Rambo and Adolphus Rambo were married in the Cherokee Nation, in September, 1895; they now reside near Cheek in the Chickasaw Nation, Indian Territory; they have no children; my husband, S. E. Palmer, and myself, came to the Indian



Page #2

Territory to live ten years ago; we have nine children living, viz: S. E. <sup>thirteen</sup>  
Palmer, Jr., a boy, fourteen years old; Cassie, a girl, ~~twelve~~ years old;  
Henry, a boy, 11 years old; Lizzie, a girl, 10 years old; Lulu May, a  
girl, 8 years old; Lutie, a girl, 5 years old; Emma, a girl, 3 years old;  
Ethel, a girl, 2 years old, and Lottie, a girl, three months old; my  
father, John Betsy Roach, was a Creek Indian; and my mother, Mary Ann  
Roach, was part Creek Indian--at least this is what they always told us  
children.

\_\_\_\_\_  
*\_\_\_\_\_*

Subscribed and sworn to before me on this the 28th day of  
August, A. D., 1906.

A

\_\_\_\_\_  
*\_\_\_\_\_*  
Notary Public.

Territory of Oklahoma  
Garfield County-

Mary Ann Jones of Lawful age and her first only son deceased and ~~says~~ That her maiden name was Mary Ann McIntosh, by first husband was John Betsy Roach, we were married in 1847 at Fort Myers Point at the mouth of White River on the Mississippi. John Betsy Roach was a Creek Indian, I knew his father personally and his father was a Creek Indian his name was Johnathan Roach. My father's name was Charles McIntosh, he died in Posey County Indiana, I was about ten (10) years old. I have often seen my Uncle John McIntosh at Little Rock at Fort Gibson and at various places and he was well acquainted with him, after our marriage Uncle Chilly told me he could in his power to get me and my husband to locate in the Creek Nation, but the fatigations of a river life in these early days engrossed our attention and we never located lands in the Creek Nation. Mr Roach and myself both understood and taught our children that we had rights in the Creek Nation. John Betsy Roach my former husband died in Henrietta Texas in 1880. I have now four (4) children living by Mr Roach. I have also living one orphan grand-child named Jimmie Roach a girl the only heir of my deceased son James, said deceased son James being a son by my husband John Betsy Roach. I have now by my first husband John Betsy Roach four (4) children living as follows. Henry Roach born in 1849, M.C. Roach born in 1852. Lulu Roach born in 1861. Alice Roach born in 1869. M.C. Roach who was my daughter was first married to William King leaving one son named John King. She was married a second time to Elihu Tussey. She was married a third time to William Irving in April 1888. Lulu Roach and S.E. Palmer were married on the 6th of November 1879. Alice Roach and Ed Arcees were married -----

Subscribed in my presence and sworn to before me this 1st day of August-1896

*Notary Public*  
My commission expires Jan'y 5th -1896-

Notary Public

Deposition of L. C. Dotson in Relation to the Claim of T. E. Palmer of  
Citizenship in the Creek Nation.

INDIAN TERRITORY, )  
Southern District. ) ss

*Subscribed and sworn to before me on this 11th day of August 1890.*  
My name is L. C. Dotson; I live at Cheek, Chickasaw Nation, Indian Territory; I have lived in the Indian Territory twelve years; I first became acquainted with Captain John Betsey Roach about ~~eight~~ <sup>eight</sup> years ago and lived a neighbor to him and knew him well for about ~~xxx~~ years thereafter; he is now dead, so I am advised; my information is that he died about the year 1880 or 1881; during the time I knew Captain Roach I was well acquainted with him and his family, and was frequently at his home; he was recognized by all of his neighbors as being an Indian by blood; he was dark, had high cheek bones, black eyes, straight black hair, and had the general appearance of an Indian; I do not remember ever having heard him say of what tribe he was a member; but I have heard some of his family say that he was a Creek Indian, and they claimed to be Creek Indians; Captain Roach had three daughters, named Willie, Lula and Alice, and a son named Henry, who are now living; Willie married by the name of Irvin, and Lula married Mr. S. E. Palmer; I do not know who Alice married; Lula, now Mrs. T. E. Palmer, resides with her husband near Cheek, Indian Territory, Chickasaw Nation; they have been married about three years.

Subscribed and sworn to before me on this 11th day of August  
A. D., 1890.

*W. H. McManis*  
Notary Public.

Affidavit of  
S. E. Palmer



United States of America  
Creek Nation Indian Territory

Before me the undersigned authority on this day personally appeared S. E. Palmer who after having been by me duly sworn states under oath that he is now a resident of the Chickasaw Nation Indian Territory. That he is 48 years of age and the husband of Lulu Palmer. That his wife maiden name was Lulu Roach, and they were married in Clay County Texas in Nov. 1879.

My wife is a daughter of ~~Peter~~ John Peter Roach and Mary Ann Roach (now Mary Ann Jones) I knew John B. Roach in his life time, and was well acquainted with him. I married his daughter Lulu before his death, we were married at his home in Henrietta Texas. I know that he was an Indian and he was so recognized and regarded where he lived. I have heard him frequently say that he was an Indian and always understood from his family that he was a Creek, and it was understood in the neighborhood ~~in the~~ neighborhood that he was a Creek Indian. He looked like a full blood Indian. I also knew his wife Mary Ann, well. She is also an Indian and shows the Indian blood distinctly. I have always understood from her that she was a McIntosh before her marriage to



Capt. Roach and an Indian by blood.  
I have heard ~~of~~ her speak frequently  
of her father Charles M. Intosh and  
of her Uncle Chilly M. Intosh who was  
once principal Chief of the Creek  
tribe. Mary Ann Roach after the death  
of Capt. John B. Roach, her husband  
married John Jones and she now  
lives in the Cherokee Strip Oklahoma.

I, S. E. Palmer do solemnly swear that  
I know the contents of the foregoing  
affidavit and that the statements therein  
contained are true and correct.

S. E. Palmer

Subscribed and sworn to before me on  
this the 7<sup>th</sup> day of September 1896.

W. R. Shackelford  
Notary Public Northern  
District of Texas.

REGISTRY RECEIPT.

Post Office at \_\_\_\_\_

Registered Letter No. *252* Rec'd *Sept 8* 189*6*

of *Chas Von Weiser*

addressed to *Hau Isparhecher*  
*Knulger*

①

P. H.

31  
32

LEGBORN ABSTRACT  
FROM  
GEO. D. BARNARD & CO  
ST. LOUIS

United States of America  
Indian Territory

52

I J. B. Neelly, do solemnly swear  
that on the 8 day of September, A.D. 1896 I saw  
a package registered at the Post Office at Mus-  
cogee, addressed to Isparhecher, Principal  
Chief of the Creek Nation, I.T., that registry  
receipt No. 242 received from the Postmaster  
hereto attached, is a receipt for said package,  
which contained true copies of the application  
of J. E. Palmer and Adolphus Rambo, and  
the affidavits of J. E. Palmer and L. C. Dotson  
and Mary Ann Jones, and of the deposition  
of John Palmer, in support of the same.

J. B. Neelly  
Subscribed and sworn to before me on this  
8th day of September, 1896

Chas. D. Kuse  
Notary Public  
Western Dist. I.T.

REPORT THE DAVES COMMISSION, VINITA, INDIAN TERRITORY.

S. E. Palmer, and others :  
:----- Petitioner,  
26 in all. :

VS. ( Petition for citizenship.

The Creek Nation,-----Defendant.

The defendant, the Creek Nation, in answer says:

That the application of the said petitioner does not state facts sufficient to show that they are entitled to citizenship in this Nation.

2. Defendant further says: That this petitioners show by their petition that they have never resided in the Creek Nation, were born outside of the limits of said Nation and have never heretofore applied for citizenship ~~until now~~ and are not now residing in the Creek Nation.

Therefore the defendant says that they are not entitled to be enrolled as citizens of the Nation being excluded therefrom by the Act of Council, approved Oct. 26th, 1889, and which is still in force in the limits of the defendant Nation.

The defendant denies that the petitioners are citizens of this Nation and members of the Creek tribe of Indians and defendant denies that petitioners are entitled to any property rights and privileges as citizens of this Nation.

The defendant says, That 1st. the affidavits of persons who claim to have personal knowledge of their blood, filed in support of petitioners claim are made by themselves and relations, all of whom are interested in the success of the petitioners.

2. That the testimony of L. C. Watson is hearsay and irrelevant, he does not allege that the said John Wesley Roach was ever recognized by the Creek Indians as an Indian.



and the other is a copy of the original  
 and the other is a copy of the original

Witness my hand and seal  
 this 10th day of June 1864

E. C. Johnson

On this 10th day of June 1864, I, the undersigned,

have signed and sealed the foregoing and true

certificate of the said

and the other is a copy of the original

and the other is a copy of the original



The affidavit of S. E. Palmer is inadmissible because he is the husband of one of the petitioners, because he is interested and because it is hearsay. *He is the defendant.*

And defendant says that none of the witnesses are native of the Creek Nation and have always been non-residents.

S. P. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bunny McIntosh*  
says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this 10 day of April 1896.

*John H. Rogers*

*John H. Rogers*

**End**

CR 115

See Court Case #281 Northern Dist.

No. 115

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Louisa Poase & Co

VS.

Orin

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR PAINT POST OFFICE

..... vs. .... Nation, as follows:

vs.

**Nation, as follows:**

Witness my hand and official seal at..

this the 29<sup>th</sup> day of January 1897

1897  
 Jas. I. Winston  
 Clerk.



No 115-

Louisa Pease Etal

vs.

OnrK Nation

Order of Appeal

## NOTICE.

281

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

In the United States Court for said District.

In the matter of the application of

ss. **Louisa Pease et al** to be

enrolled as citizens of the **Muskogee** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**Louisa Pease et als**

**Muskogee**

to be enrolled as citizens of the **Commission** Nation, from said

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the **22nd** day of **Jan. 1897.** A.D. 189

*James M. Springer* Clerk.

**End**

CR 116

To the Honorable the Dawes Commission on Citizenship in the five  
Civilized Tribes in the Indian Territory:

Your petitioner, Charity R Pemberton, undersigned, respectfully  
states that she is a Cherokee Indian by blood, and asks to be enrolled as a member of the  
Muskogean Nation of Indians in the Indian Territory. That she derives her said Indian  
blood from Washington Pemberton, her father, who was a  
Muskogean Indian by blood. Washington Pemberton was my  
father and Willie Pemberton his wife was my mother. I was born  
on the Creek Nation Indian land, March 7<sup>th</sup> 1855. My father died  
at the old Creek Agency near Muskogee. I am the wife of William  
Pemberton, but live near the Fort Ross Creek Indian land. My  
father and mother are both dead.

Your petitioner states the above facts as the lawful grounds of her application for citizenship in the  
Muskogean Nation, and prays that her claim may be fully investigated by your  
Honorable Commission and that she be adjudged to be a citizen of said Muskogean  
Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws  
and treaties with said Nation of Indians.

My age is 43 years. My Post Office address is Julia Indian Territory  
My family consists of the following named persons: My husband and children, as follows:  
Mary A Pemberton aged 18 years.  
William A Pemberton aged 16 years.  
John C Pemberton aged 14 years.  
James A Pemberton aged 10 years.  
Abigail C Pemberton aged 7 years.  
Washington Pemberton aged 8 years.  
Wilton Pemberton aged 5 years.  
Edna A Pemberton aged 3 years.  
aged \_\_\_\_\_ years.  
aged \_\_\_\_\_ years.

WITNESS my hand this 8<sup>th</sup> day of August 1898.

Charity R Pemberton  
make

E. P. Childers  
Notary Public

Personally appeared before the undersigned authority, Charity R Pemberton  
to me known to be the petitioner in the above petition, who being by me first duly sworn, upon oath says  
that she is the petitioner in the above petition, that she has read (or heard read) the said petition, and that the  
facts stated therein are true, as she verily believes.

Subscribed and sworn to before me at Julia Indian Territory  
this 8<sup>th</sup> day of August, A. D., 1898.

E. P. Childers  
Edward Childers

Charity R Pemberton  
make

Charity R Pemberton  
make

E. Childers Notary Public

My Commission Expires April 26<sup>th</sup> 1898.



To the Honorable the Dawes Commission on Citizenship in the five  
Civilized Tribes in the Indian Territory:

Your petitioner, William D Perryman undersigned, respectfully  
states that he is a Creek Indian by blood, and asks to be enrolled as a member of the  
Muskogee Nation of Indians in the Indian Territory. That he derives his said Indian  
blood from Washington Perryman his father who was a  
Creek Indian by blood. Washington Perryman was  
the husband of Willie Perryman who was my mother.  
I was born in the Creek Nation Indian Territory March 15<sup>th</sup> 1858.  
I have lived in the Indian Territory during the last 20 years  
and on and off ever since my birth. My father died in 1864 and my  
mother died a month and two days after my father died.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the  
Muskogee or Creek Nation, and prays that his claim may be fully investigated by your  
Honorable Commission and that he be adjudged to be a citizen of said Muskogee or Creek  
Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws  
and treaties with said Nation of Indians.

My age is 42 years. My Post Office address is Pulsa Indian Territory  
My family consists of the following named persons: My John T. Perryman and children, as follows:  
Washington F. Perryman aged 8 years.  
Martha Perryman aged 6 years.  
Martha Perryman aged 4 years.  
aged        years.  
aged        years.  
aged        years.  
aged        years.  
aged        years.  
aged        years.  
aged        years.

WITNESS my hand this 25<sup>th</sup> day of July 1896.  
William D Perryman

R. E. Phillips  
SS.

Personally appeared before, the undersigned authority, William D Perryman  
to me known to be the petitioner in the above petition, who being by me first duly sworn, upon oath says  
that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the  
facts stated therein are true, as he verily believes.

William D Perryman  
Subscribed and sworn to before me at Pulsa Indian Territory  
this 25<sup>th</sup> day of July, A. D. 1896.

E. C. Allen  
Notary Public  
my commission expires April 26<sup>th</sup> 1898.

To the Honorable the Dawes Commission on Citizenship in the five  
Civilized Tribes in the Indian Territory:

Your petitioner, Calley D. Morrey, undersigned, respectfully  
states that she is a Crut Indian by blood, and asks to be enrolled as a member of the  
Muskogean Nation of Indians in the Indian Territory. That she derives her said Indian  
blood from Washington Pinyman her father, who was a  
Crut Indian by blood. Washington Pinyman was  
my father and Willie Pinyman his wife I was my mother,  
I was born in the Crut Nation. I am 45 years of age, I have  
lived in different parts of the country, but have been a permanent resident  
on North Fork Creek Nation for the last five years. I am the wife of William  
Morrey was married to him in June 1889.

Your petitioner states the above facts as the lawful grounds of her application for citizenship in the  
Muskogean Crut Nation, and prays that her claim may be fully investigated by your  
Honorable Commission and that she be adjudged to be a citizen of said Muskogean Crut  
Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws  
and treaties with said Nation of Indians.

My age is 45 years. My Post Office address is Tulsa Indian Territory  
My family consists of the following named persons: My husband and children, as follows:  
Mary E. Foster (intended) family May 20 years.  
Samuel Morrey aged 18 years.  
Willie S. Morrey aged 14 years.  
Samuel Morrey aged 12 years.  
Calley D. Morrey aged 9 years.  
George W. Morrey aged 4 years.  
aged years.  
aged years.  
aged years.  
aged years.

WITNESS my hand this 28<sup>th</sup> day of July 1896. Calley D. Morrey

R. E. Phillips  
E. L. Phillips SS.

Personally appeared before, the undersigned authority, Calley D. Morrey,  
to me known to be the petitioner in the above petition, who being by me first duly sworn, upon her oath says  
that she is the petitioner in the above petition, that she has read or heard read the said petition, and that the  
facts stated therein are true, as she verily believes.

Subscribed and sworn to before me at Tulsa Indian Territory  
this 28<sup>th</sup> day of July A. D. 1896. E. L. Phillips  
Notary Public

My Commission Expires April 26<sup>th</sup> 1898.

United States of America

Northern District Indian Territory

Personally appeared before me a  
Notary Public in and for the Northern District  
Indian Territory, Robert C. Childers who being duly  
sworn according to law deposes as follows:  
My name is Robert C. Childers my age is 55 years  
I am a Cherokee by blood and was adopted many years  
ago into the Muskogee or Creek Nation of Indians.  
My residence has been Tulsa Creek Nation for  
the last forty years.

I was well and personally acquainted with  
Washington Pumpman who was a Creek Indian  
by blood, my first acquaintance with him was in  
the year 1849. He and his family lived on the Muskogee  
River on the Muskogee River. I have been  
to his house often and bought things of him. He could  
speak the Creek language and did use it in his talk.  
I am informed that he died a few years ago in Texas.  
I have been personally acquainted with his children  
Mrs. Callie P. Pumpman and William P. Pumpman and  
for many years and they have  
lived in western part of the Creek Nation near the  
North Fork River they and their children by blood  
and are in color and appearance to all persons  
capable of discerning nationality, Indians, their color  
and face show an Indian in nature. I am not interested  
in their claim more than to have the children receive  
justice. I know they are entitled to be admitted as Creek  
Citizens because they are Creeks by blood and have made  
the Creek Nation their home for many years past.



to my personal knowledge.  
I know that these people have tried time and again during the last five years at Okmulgee to have the Creek Council investigate their right to become Creek Citizens. I was present on 2 occasions at Council and personally requested the Council to investigate their application which they made to Council. These applications were made at the Council of 1893 and at the meeting of the Council of 1895. The Council fail to investigate the applications and have nothing about them. Simply put them off and I could not aid them with my knowledge of their petition because the Council gave me no chance to <sup>appeal</sup> a second time to go to the Peace Commission when I heard that this Commission had the power to investigate such cases. It is my honest belief and I want to state, that these Children of Abraham for Pinyan are Creek Indians by blood and ought long ago to have been enrolled as Citizens had they been fairly treated by the authorities of the Nation.

Robert C. Childers  
Subscribed and sworn to before me this 10th day of August 1896. by Robert C. Childers after I had read the contents of said foregoing instrument to him and I further certify that he personally did execute the same.

E. C. Allison

Notary Public

my Commission Expires April 25 1898.

No. 128 -

Wm. D. Perryman  
Colley D. Morey  
Charley R. Pemberton

Creek Nation

Filed Aug. 30<sup>th</sup> 1896

At McKinnon  
Court

3 Applicants  
Adult applicants  
+ Children

E. Calkins Atty  
Tulsa, Ok.



United States of America  
Northern District, Indian Territory.

Personally appeared before me a  
Notary Public in and for the Northern  
District of the Indian Territory.

W. D. Perryman who since duly sworn  
says that on the 11 day of August 1896. he delivered  
to Ishak Lecher Principal Chief of the  
Muskogean Creek Nation, an Envelope containing  
Copies of the application of Cally P. Mary Williams  
P. Perryman and Charity R. Pemberton, for  
Citizenship in the Creek Nation of Indians,  
Also, Copies of all the affidavits all sworn thereto  
as made out by E. C. Perkins Notary Public  
All of which were contained in the  
Envelope handed by him to the said Chief  
of the above said.

W. D. Perryman

Sworn and subscribed to before me  
this 12<sup>th</sup> day of August 1896.

E. C. Perkins  
Notary Public

United States of America  
Northern District, Indian Territory.

Personally appeared before me a Notary Public  
in and for the Northern District Indian Territory.

William B. Pennington who being duly sworn  
according to law deposes as follows;

My name is William B. Pennington, my age  
is 54 years, my Post Office address is Eufaula,  
Indian Territory.

I am the husband of Mary D. Pennington  
formerly Cherry R. Pennington, we have the  
following named children as the offspring of our  
marriage, viz: Mary D. Pennington, William B.  
Pennington, John D. Pennington, James D. Pennington,  
Viola D. Pennington, Washington Pennington,  
Wilton Pennington and Ida D. Pennington,

whose ages are correctly given in my wife's application  
for Creek Citizenship, which was made in my presence.  
My wife is the daughter of Washington Pennington  
a Creek Indian, I have lived continually  
in the Indian Territory during the last five years  
I know William B. Pennington and his children  
and Mary D. Pennington, and William Henry,  
and their names as given in the applications of the  
said William B. Pennington and Sally D. Pennington  
for Creek Citizenship, which applications I  
have had made in my presence and know  
the contents to be true.

W. B. Pennington

Subscribed and sworn to before me this 8th  
day of August 1896. And I certify that I have  
carefully read over said affidavit and well  
know the contents thereof to the said affidavit  
before he subscribed and sworn to the same,

E. C. Harris

Notary Public

Commission Expires April 20 1898.



United States of America  
Northern District Indian Territory.

Personally appeared before me a Notary Public, in and for said Northern District, Indian Territory, Cynthia Money, who being duly sworn according to law, upon her oath states as follows, My name is Cynthia Money, I am 70 years old I am personally acquainted with Cally P. Money about all his life, the man I My son William Money and I have resided in his family ever since their marriage, I was present at the birth of all their children, to wit: Mary E Money aged 20 years, was Mary E Foster by intermarriage, ~~Samuel~~ <sup>James</sup> Money aged 18 years, Willie S Money aged 14 years, Samuel Money aged 12 years, Sally Money aged 8 years, George W Money aged 4 years, I have always known the said Cally P. Money as a Creek Indian by blood. His name was Cally P. Pinyman, daughter of Washington Pinyman a Creek Indian by blood, and Willie Pinyman, who was William Baker before his marriage to Washington Pinyman, Washington Pinyman and his wife had the following named children whom I have known from their childhood and are now residents for a long time in the Creek Nation I. T. Cally P Money, William P Pinyman and Charity R. ~~Baker~~ <sup>Pinyman</sup> formerly Charity R. Pinyman.

Witness my hand, *E. E. Lee* Cynthia <sup>my</sup> Money <sup>mother</sup>  
Subscribed and sworn to before me this 8<sup>th</sup> day

of August 1896, and I certify that I read  
the foregoing affidavit carefully in the presence  
and hearing of the said Cynthia May before  
she subscribed her name and made oath to the same

E. Collins

Notary Public

My Commission Expires April 26 1897



Applicant of Thomas  
W. Penneyman in relation  
to the application of  
Cary P. Mowry and  
other for United States  
citizenship

United States of America,  
Northern District Indian Territory.

Personally appeared before me  
a Notary Public in and for the Northern District  
Indian Territory Thomas D. Pennington a  
single man according to said laws  
relating to

My name is Thomas Pennington  
My age is 57 years, My Post Office address  
is Indian Territory. I am a white  
Indian by blood and considered as a white  
Citizen in the West. I  
I was well acquainted with Washington  
Pennington in his lifetime, he lived in the  
Old Creek Agency, on the Arkansas River,  
north of Muskogee. I know him to be a  
white Indian by blood. I have seen him  
his home a great many times, he was my  
neighbor. I know in fact some children and  
was married, I know his daughter ~~Pennington~~  
and am not acquainted with her son and William  
very personally - his other children I am not  
personally acquainted with or name I can not  
be a white - but when Washington Pennington was  
a white Indian by blood.

Thomas D. Pennington

I have read and sworn to before me of Thomas  
Pennington this 7th day of August 1896, he having a  
good knowledge of the contents of the affidavit.

by reading the same.

E. Carrino

Notary Public

My Comm. on Exp. April 2<sup>d</sup> 1898

Attest of Thomas  
W. Carrino in relation  
to the application of  
Calvin P. Brown and  
others for writs of Habeas Corpus

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the work of the committee to the Board of Directors.

6. 1952 - 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633,

THE UNIVERSITY OF CHICAGO

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Book: 1780  
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THE UNIVERSITY OF CHICAGO

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18

# 1. Aufgaben

at Pitts. v. b. p. 3. On 1:

ESTABLISHED 1880

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Before the Dawes Commission, Vinita, Indian Territory.

Cally D. Moray, :  
Charity R. Pemberton, :-----Plaintiffs.  
William D. Pemberton, :

VS. ( Answer.

The Creek Nation,-----Defendant.

The defendant says: That all of the plaintiffs claim citizenship through their father Washington ~~Ramkaxxxxx~~ Perryman whom is it alleged was a Creek Indian by blood.

2 Neither the applicants nor the witnesses state the degree of blood; it is also shown that these plaintiffs have made two applications to the National Council for enrollment and have failed and although they claim to have been born and raised in this Nation they never have been recognized as citizens thereof.

The defendant denies that they are Creek Indians by blood and says they are not entitled to citizenship or to any of the privileges thereof. 3. The defendant says this commission has no jurisdiction to hear & decide this case S. B. Callahan,

Bunny McIntosh,  
Attorney for defendant.

Bennie Mcintosh says that he believes the matters and things set forth in the foregoing answer to be true.

Bennie Mcintosh

sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896.  
Witness my hand and ~~signature~~ signature notary  
an official seal - John W. Rogers (seal)  
n-p

My Com exp Oct-10<sup>th</sup>/1900 -



United States Marine  
Northern District Police Station

Anonymous and on the 21st of March  
in the 1st District. Town Court,  
Canton, Mass. now recording

I have signed the following: my name is given  
 to the record in the case, and the Post Office  
 at Norton Creek Station Indian Territory.

I have lived in the District for the last fifty  
years. I was well and unusually acquainted  
in his lifetime with Benjamin Franklin who  
lived many years on the Old Bank & many were  
his neighbors near the Antiques Store. I lived three  
miles South west of him, he was a married  
man, William Paragon was his wife, his children  
are George P. Paragon now George Paragon wife  
of William Moore, William P. Paragon whose  
wife's wife is dead, and Charity P. Paragon  
wife of William Paragon. They are all residents  
of the Bank Station near North Dock, and are  
all South Indians by blood from their father  
with the name Washington Paragon.

At the time of the war of the Rebellion Washington  
Strong was to my personal recollection was a  
Confederate Creek but took sides with the Union  
who joined the Union with side, but he went to  
Texas with other Indians from the Creek nation,  
about 1862 and lived during the war.

I was adopted into the Creek Nation when

when a boy and have lived in this nation  
all my life.

Witnessed

John P. Powell  
notary

E. E. Hillman  
E. Hillman

Personal and sworn to  
before me this 5th day of August 1896  
I certify that I carefully read said affidavit  
to him and made known its contents to him  
The subscriber his name, that, and sworn to the same.  
E. Hillman is a Notary Public  
my commission expires April 26th 1898.

EE

TO THE HONORABLE THE DAWES COMMISSION ON CITIZENSHIP IN THE FIVE  
CIVILIZED TRIBES IN THE INDIAN TERRITORY:

Your petitioner, William D. Perryman, the undersigned, respectfully states that he is a Creek Indian by blood, and asks to be enrolled as a member of the Muskogee Nation of Indians in the Indian Territory. That he derives his said Indian blood from Washington Perryman, his father, who was a Creek Indian by blood. Washington Perryman was the husband of Willie Perryman, who was his mother. I was born in the Creek Nation, Indian Territory, March 15, 1853. I have lived in the Indian Territory during the last 30 years and on and off since my birth. My father died in 1864, and my mother died a month and two days after my father died.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Muskogee or Creek Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Muskogee or Creek Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 43 years. My Post Office address is Tulsa, Indian Territory. My family consists of the following named persons: My--and children, as follows:

John T. Perryman,-----aged 8 years  
Washington Perryman,-----aged 6 years  
Morey Perryman-----aged 4 years

Witness my hand this 28th day of July, 1896.

William D. Perryman

-----  
R. C. Childers

E. Calkins

(SEAL)

Personally appeared before, the undersigned authority, William D. Perryman, to me known to be the petitioner in the above petition, who being by me first duly sworn upon oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

William D. Perryman

Subscribed and sworn to before me at Tulsa, Indian Territory this 28th day of July, A.D., 1896.

E. Calkins

Notary Public.

My Commission expires April 26th, 1898.

**End**



ca 117



# Commission to the Five Civilized Tribes.

I, Vester Mullen do solemnly swear that on the 4<sup>th</sup>  
day of September, 1896, I saw a package registered at the postoffice at Fort Smith  
Arkansas addressed to De par he phas  
Governor or Chief of the Creek Nation, Okmulgee Indian Territory,  
that Registry Receipt No. 385 received from postmaster hereto attached, is a receipt for said package, which  
contained true copies of the application of Alfred H. Pennington and of the  
affidavits of Harriett Pennington and  
in support of same. Vester Mullen

Subscribed and sworn to before me, on this 4<sup>th</sup> day of September, 1896.

Mr. D. Smith - Notary Public  
My Com. expires - March 14/1900.

Application For Enrollment.

BEFORE THE UNITED STATES COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIANS:

Alfred H. Penneywitt Et Al., PETITIONER,

VS.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

Creek Nation, Indian Territory, RESPONDENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner, Alfred H. Penneywitt states that Reuben Joxson was a Creek Indian by blood; was duly recognized by the proper authorities as such in the old Creek Nation, now the State of Ga. and enjoyed all the rights, privileges, benefits and annuities of other Creek Indians by blood in the said Creek Nation or Tribe of Indians, and that the name of the said Reuben Joxson appears, or should appear upon the authenticated rolls of the said Creek Indians for the year.

That petitioner is a lineal descendant of the said Reuben Joxson to-wit:

That he is 29 years of age; that his post-office address is Van Buren, Ark. That he is an admixture of negro and Creek and is at least one-eighth Creek Indian by blood. That he derives his Creek Indian blood from his mother, Harriett Penneywitt, nee Joxson, who was the daughter of the late Alfred Joxson, who was a half-blood Creek Indian, and who resided in the State of Ga.; and who was the son of the late Reuben Joxson, who resided near what is now the City of Atlanta State of Ga., then the Creek Nation; and who spoke the Creek Indian language, and who was a full blood Creek Indian, and was a member of the Creek tribe of Indians.

That under the constitution, laws, usages and customs of the said Creek Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Creek Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other Creek Indians by blood.

That there are now living legal descendants of your said petitioner 3 persons, as follows, to-wit:

|                         |                   |                |
|-------------------------|-------------------|----------------|
|                         | , and             | years of age   |
| Harriett Eva Penneywitt | , a daughter, and | 3 years of age |
| L. Viola Penneywitt     | , a " , and       | 1 years of age |
|                         | , a , and         | years of age   |
|                         | , a , and         | years of age   |
|                         | , a , and         | years of age   |
|                         | , a , and         | years of age   |
|                         | , a , and         | years of age   |
|                         | , a , and         | years of age   |
|                         | , a , and         | years of age   |

Wherefore, the premises considered, your petitioner prays that his name, with those of

and.....**himself**.....be enrolled and admitted to all rights, benefits, privileges  
and immunities of other.....**Creek**.....Indians, in and to the.....**Creek**.....Nation  
or Tribe of Indians, in Indian Territory, and your petitioners will ever pray. *W. B. R.*

will ever pray.

*Joseph B. Muller*  
Attorneys For Petitioners.

The aforementioned petitioner, Alfred H. Penneyrith, says that the statements set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Alfred. H. Pennywitt  
Petitioner.

Subscribed and sworn to before me, this 13 day of August ... 1896

**My Commission Expires Jan. 8, 1899.**

**Notary Public**

[illegible]

## Application of

.....NO

• **Let All**

—108—

Enrollment in..... Nation

Filed on the.....day of.....1997..

DEC. U. S. COIN. FIVE CIV. TRUSS

— **СОВЕТСКОМУ НАРОДУ**

No 1950 117

IN THE MATTER OF

*Alfred H. Pennepack*

Petition and Memorial  
FOR  
CITIZENSHIP

In the *Creek* Nation, I. T.

*Filed 7 Sept 1896*  
*H. M. Jacobson*  
*clerk*

*Reje. dead*

*Joseph P. Mullen*  
*Atty.*



## AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF Alfred H. Penneywitt ..  
FOR ADMISSION TO CITIZENSHIP IN THE Creek .. NATION.

STATE OF Arkansas ..... }  
COUNTY OF Crawford ..... } ss.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, Personally appeared Harriett Penneywitt who, after being by me duly sworn, states: That she 58 years of age, and a resident of the State of Arkansas ..... and County of Crawford ..... and that she personally acquainted with Alfred H. Penneywitt who is an applicant for citizenship in the Creek ..... Nation. Affiant further states:  
(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That the said Alfred H. Penneywitt is an admixture of negro and Creek, and is at least one-eighth Creek Indian by blood. That he derives his Creek blood from his mother, Harriett Penneywitt, affiant, who is an admixture of negro and Creek, and is at least one-fourth Creek Indian blood. That affiant is the daughter of the late Alfred Joxson, who was a half-blood Creek Indian, as affiant knows, and lived near the City of Atlanta, Ga., and who was the son of the late Reuben Joxson, who was, as affiant has always been taught and verily believes, was a full blood Creek Indian, and lived near what is now the City of Atlanta, State of Ga., then the Creek Nation, and who spoke the Creek Indian language, and who was a member of the Creek Tribe of Indians.

Affiant further states that she knows that the said Alfred H. Penneywitt is the identical person that he represents himself to be in his application for Creek citizenship; that he is a direct lineal descendant of the late Reuben Joxson Creek Indian family; and that the said Alfred H. Penneywitt is rightfully entitled to the rights of citizenship, the same as all others Creek Indian by blood, in the Creek Nation, by virtue of his Creek Indian blood.

Affiant further states: That she has known the said Alfred H. Penneywitt for the past 30 years, and knows that he has been and is recognized by his neighbors, acquaintances and the public generally as having Creek Indian blood, and that the complexion and physical appearance of the said Alfred H. Penneywitt indicate that he is of Creek Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Alfred H. Penneywitt he believes the said Alfred H. Penneywitt to be a descendant by blood of the Creek Indian tribe.

Witness:

E. L. Matlock

Subscribed and sworn to before me this 13 day of August 1896.

E. L. Matlock

NOTARY PUBLIC.

My Commission expires Jan'y 2<sup>nd</sup> 1899.

DALLAS STAMP POINT.



**End**

CR 118

## Commission to the Five Civilized Tribes.

I, Hester Maudie, do solemnly swear that on the 6<sup>th</sup>  
day of September, 1898, I saw a package registered at the postoffice at Fort Smith,  
addressed to La par he char  
Governor or Chief of the Crack Nation, Okmulgee Indian Territory,  
that Registry Receipt No. 285 received from postmaster, hereto attached, is a receipt for said package, which  
contained two copies of the application of William Perryman and of the  
affidavit of Harriet Perryman and  
in support of same.

Subscribed and sworn to before me, on this 9<sup>th</sup> day of September, 1898.

Thos. A. Smith Notary Public.  
My Comm. expires March 14 1900.

Application for Enrollment.

BEFORE THE UNITED STATES COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIANS:

William Penneywitt vs. Creek Nation, Indian Territory. Petitioner, Respondent. APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner, William Penneywitt, states that Reuben Jenson was a Creek Indian by blood; was duly recognized by the proper authorities as such in the Creek Nation in Ga. and enjoyed all the rights, privileges, benefits and annuities of other Creek Indians by blood in the said Creek Nation or Tribe of Indians, and that the name of the said Reuben Jenson appears, or should appear upon the authenticated rolls of the said Creek Indians for the year. That petitioner is a lineal descendant of the said Reuben Jenson to-wit:

That he is 27 years of age; that his post-office address is Van Buren, Ark. That he is an mixture of negro and Creek Indian, and is at least one-eighth Creek Indian by blood. That he derives his Creek blood from his mother, Harriett Penneywitt nee Jenson, who is the daughter of the late Alfred Jenson, who was half-blood Creek Indian, and lived in the State of Ga., and who was the son of the late Reuben Jenson, who also lived near what is now the City of Atlanta, in what is now the State of Ga., then the Creek Nation. That the said Reuben Jenson was spoke the Creek Indian language, and was a full-blood Creek Indian, and was a member of the Creek tribe of Indians.

That under the constitution, laws, usages and customs of the said Creek Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Creek Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other Creek Indians by blood.

That there are now living legal descendants of your said petitioner, persons, as follows, to-wit:

George Penneywitt, 4 years of age, and 4 years of age, and 4 years of age, and 4 years of age, and 4 years of age, and 4 years of age, and 4 years of age, and 4 years of age, and 4 years of age.

Wherefore, the premises considered, your petitioner prays that he be enrolled with those of



.....his.....said descendants, to-wit.....George Penneywitt.....  
.....  
and.....be enrolled and admitted to all rights, benefits privileges  
and immunities of other.....Creek.....Indians, in and to the.....Creek.....Nation  
or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

*Joseph W. Mendenhall*  
Attorneys For Petitioners.

The aforementioned petitioner.....William Penneywitt.....says that the state-  
ments set forth in the above and foregoing petition are true according to his best knowledge, information and belief.  
*William Penneywitt*  
Petitioner.

Subscribed and sworn to before me, this 13 day of August 1896.  
*E. L. Matteson*

My Commission Expires Jan. 8, 1899. Notary Public

No.....  
Application of  
.....  
—FOR—  
.....  
Enrollment in.....Nation.  
Filed on the.....day of.....189.....  
Sec. U. S. Com. Five Civ. Tribes.  
Attorney for Petitioner.  
.....



No 1453

IN THE MATTER OF

*William Pennypacker*

Petition and Memorial

FOR

CITIZENSHIP

In the *Creek* Nation, I. T.

*Filed 7 Sept 1896*  
*AM Johnson*  
*clerk*

*Rejected*

*Joseph M. Allen*  
*Atty.*

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF William Penneywitt  
FOR ADMISSION TO CITIZENSHIP IN THE Creek NATION.

STATE OF Arkansas ..... } ss.  
COUNTY OF Crawford .....

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, Personally appeared Harriett Penneywitt who, after being by me duly sworn, states: That she is 53 years of age, and a resident of the State of Arkansas and County of Crawford and that she is personally acquainted with William Penneywitt who is an applicant for citizenship in the Creek Nation. Affiant further states:  
(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That the said William Penneywitt is an admixture of negro and creek, and is at least one-eighth Creek Indian blood. That he derives his Creek blood from his mother, Harriett Penneywitt, affiant, who is an admixture of negro and Creek and is at least one-fourth Creek Indian blood. That affiant is the daughter of the late Alfred B. Jexson, who was a half-blood Creek Indian, as affiant knows, and lived near the city of Atlanta, Ga., and who was the son of the late Reuben Jexson, who was, as affiant has always been taught and verily believes, was a full-blood Creek Indian, and lived near what is now the city of Atlanta State of Ga., then the Creek Nation, and who spoke the Creek Indian language, and who was a member of the Creek tribe of Indians.

Affiant further states that she knows that the said William Penneywitt is the identical person that he represents himself to be in his application for Creek citizenship; and that he is a direct lineal descendant of the late Reuben Jexson Creek Indian family; and that the said William Penneywitt is rightfully entitled to the rights of citizenship in the Creek Nation, by virtue of his Creek Indian blood.

Affiant further states: That she has known the said William Penneywitt for the past 37 years, and knows that he has been and is recognized by his neighbors, acquaintances and the public generally as having Cherokee Indian blood, and that the complexion and physical appearance of the said William Penneywitt indicate that he is of Creek Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said William Penneywitt he believes the said William Penneywitt to be a descendant by blood of the Creek Indian tribe.

Witness:

E. L. Mattoon

Subscribed and sworn to before me this 14th day of August, 1896.

E. L. Mattoon

My Commission expires Jan'y 8th 1899.

CHALLENGE UPON PUNY.

**End**

CR 119



BEFORE THE DAWES COMMISSION, VINITA, INDIAN TERRITORY.

Harriet Pennywit,-----No.1.:  
Cora R. Whitow,-----No.2.:  
Alfred E. Pennywit,-----No.3.:----- Plaintiffs.  
William Pennywit,-----No.4.:  
Harry C. Pennywit,-----No.5.:

VS. ( Answer.

The Creek Nation,----- Defendant.

Five Cases.

1. The defendant for answer says: That Harriet Pennywit, the above named plaintiff is of African descent and a slave; was born in the State of Georgia and never lived in the Creek Nation at any time.

2. That it appears by the statements in her said application that her mother was a Negro woman and lived in Georgia, (The presumption is that she was a slave).

3. That under the laws of the defendant Nation, even if her father was a full blood Indian, she would not be entitled to citizenship. The witness Albert Price whose affidavit is the only one filed in support of her application swears that her father was a half breed Creek Indian but does not testify as to what blood the other half was.

4. The applicant in her application does not state facts sufficient to entitle her to citizenship as a Creek Indian by blood nor as a person of African descent under 2nd. Article of the Treaty of 1866.

The defendant denies that the said plaintiff Harriet Pennywit is an Indian by blood or that she is entitled under the Treaty of 1866 to citizenship as a person of African descent.



[illegible]

1. *Chickadee*  
*Demmuntarsaw*  
 FILED 396  
 A.S.  
 R-

6 That the other plaintiffs, Cora P. Whitlow, Alfred E. Williams,  
and Harry C. Pennywit are the children of the said Harriet Pennywit  
and claim citizenship through her. *7. The defendants*  
*have that Mrs. Pennywit has no jurisdiction to*  
*grant citizenship to them.*  
The defendant says the said applicants are not entitled to  
citizenship in this Nation or to any of the benefits thereof.

S. P. Callahan,

Penny O McIntosh,  
Attorneys for defendant.

*Bennie M. McIntosh* says that he believes the matters and things  
set forth in the foregoing answer to be true.

*Bennie M. McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October, 1900  
witness my hand and ~~official seal~~ *official seal* ~~and the Rogers Seal~~  
*Notary Public*

*My Commission expires Oct 10<sup>th</sup> 1900*

**REGISTRY RECEIPT.**

Post Office at Fort Smith Ark

Registered Letter { No. 385 Rec'd. 9/4 1896

of J. P. Mullen

# 3

addressed to Hon. Is por he char  
Okmulgee I.T.

James B. Garrett M.

## Commission to the Five Civilized Tribes.

I, Vester Mullen do solemnly swear that on the 6<sup>th</sup>  
 day of September, 1896, I saw a package registered at the postoffice at Fort Smith  
Arkansas addressed to Is por he char  
 Governor or Chief of the Creek Nation, Okmulgee Indian Territory,  
 that Registry Receipt No. 385 received from postmaster, hereto attached, is a receipt for said package, which  
 contained true copies of the application of Naniett Perryman and of the  
 affidavits of Albert Price and  
 in support of same.

Subscribed and sworn to before me, on this 6<sup>th</sup> day of September, 1896.

*Mute Ark.  
Conty detestation*

Mr. B. Barkham  
My Com. expires Dec. 14-1900.

Notary Public

## Application For Enrollment.

BEFORE THE UNITED STATES COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIANS:

Harriett Penneywitt..... Et Al.,  
PETITIONER,  
VS.  
Creek..... Nation, Indian Territory,  
RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner, Harriett Penneywitt, states that Reuben Joxson was a Creek Indian by blood; was duly recognised by the proper authorities as such in the Creek Nation in the State of Ga., and enjoyed all the rights, privileges, benefits and annuities of other Creek Indians by blood in the said Creek Nation or Tribe of Indians, and that the name of the said Reuben Joxson appears, or should appear upon the authenticated rolls of the said Creek Indians for the year . . . . .

That petitioner is a lineal descendant of the said Reuben Joxson to-wit:

That she is an admixture of negro and Creek. That she is 58 years of age; that her post-office address is Van Buren, Ark. That she derives her Creek Indian blood from her father, the late Alfred Joxson, who was a half-blood Creek Indian, and who lived in the State of Ga., and who was the son of the late Reuben Joxson, who resided near what is now the City of Atlanta, in now the State of Ga., then the Creek Nation. That the said Reuben Joxson spoke the Creek Indian language, and was a full-blood Creek Indian, and was a member of the Creek tribe of Indians.

That under the constitution, laws, usages and customs of the said Creek Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Creek Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other Creek Indians by blood.

That there are now living legal descendants of your said petitioner 7 persons, as follows, to-wit:

|                             |              |       |    |              |
|-----------------------------|--------------|-------|----|--------------|
| Phillip Penneywitt          | , a son      | , and | 36 | years of age |
| Cora B. Penneywitt          | , a daughter | , and | 31 | years of age |
| Alfred H. Penneywitt        | , a son      | , and | 29 | years of age |
| William Penneywitt          | , a son      | , and | 27 | years of age |
| Harry C. Penneywitt         | , a son      | , and | 25 | years of age |
| Edward S. Penneywitt        | , a son      | , and | 23 | years of age |
| Martha Mary Jane Penneywitt | , a daughter | , and | 15 | years of age |
|                             | , a          | , and |    | years of age |
|                             | , a          | , and |    | years of age |
|                             | , a          | , and |    | years of age |

Wherefore, the premises considered, your petitioner prays that her name, with those of



her said descendants, to-wit: Phillip, Cora B., Alfred H., William, Harry C., Edward S., and Martha Mary Jane Penneywitt

and be enrolled and admitted to all rights, benefits, privileges, and immunities of other Creek Indians, in and to the Creek Nation or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

Joseph P. Madden  
Attorneys For Petitioners.

The aforementioned petitioner, Harriett Penneywitt, says that the statements set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Witness:

E. L. Mattoon

Harriett Penneywitt  
Petitioner.

Subscribed and sworn to before me, this 13 day of August, 1896.

E. L. Mattoon

My Commission Expires Jan. 8, 1899.

Notary Public

Application of

No. ....

FOR

Et Al.

Enrollment in ..... Nation.

Filed on the ..... day of ..... 189...

Sec. U. S. Com. Five Civ. Tribes.

Attorney for Petitioner.

Subscribed and sworn to.



No 1948 117  
IN THE MATTER OF

*Harriett Penney*

Petition and Memorial  
FOR  
CITIZENSHIP

In the *Creek* Nation, I. T.

*Filed 7 Sept 1896*  
*H. M. Jacobson*  
*Clerk*

*Rejected*

*Joseph P. Mullen*  
*Atty.*

AFFIDAVIT ~~of~~ WITNESS:

Harriett Penneywitt  
IN THE MATTER OF PETITION AND MEMORIAL OF  
Creek  
FOR ADMISSION TO CITIZENSHIP IN THE.....NATION.

STATE OF Arkansas..... }  
COUNTY OF Crawford..... } ss.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, Personally appeared Albert Price..... who, after being by me duly sworn, states: That he is..... years of age, and a resident of the State of Arkansas..... and County of Crawford..... and that he is personally acquainted with Harriett Penneywitt who is an applicant for citizenship in the..... Creek..... Nation. Affiant further states:  
(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That the said Harriett Penneywitt is an admixture of negro and Creek Indian, and is at least one-fourth Creek Indian blood. That she derives her Creek blood from her father, the late Alfred Joxson, who lived and died near the City of Atlanta Ga. That a fiant knew the said Al red Joxson, and he knows that the complexion and physical appearance of the said Alfred Joxson indicated that he was at least one-half Creek Indian blood. That he was the son of the late Reuben Joxson who also resided near what is now the City of Atlanta, State of Ga., then a part of the Creek Nation, and who spoke the Creek Indian language, and who was a Creek Indian ( a full-blood Creek Indian) by blood, and was a member of the Creek tribe of Indians.

That the said Harriette Penneywitt nee Joxson intermarried with George Penneywitt, and by such intermarriage there were born, and are now living, the children mentioned and set forth in the application of said Harriett Penneywitt. That said children are of Creek Indian blood. That all of said persons are entitled to rights to citizenship in the Creek Nation, the same as other Creeks by blood.

Affiant further states: That he..... has known the said Harriett Penneywitt for the past 28 years, and knows that she..... has been and is recognized by her neighbors, acquaintances and the public generally as having..... Creek..... Indian blood, and that the complexion and physical appearance of the said Harriett Penneywitt indicate that she is of Creek..... Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Harriett Penneywitt he believes the said Harriett Penneywitt..... to be a descendant by blood of the Creek..... Indian tribe.

Witness:  
E. L. Matlock  
Subscribed and sworn to before me this 14th day of August 1896.  
Albert Price  
E. L. Matlock  
My Commission expires Jan'y 8th 1899.  
NOTARY PUBLIC.

CHALLENGE OVER PRINT.

**End**

CR 120

Commission to the Five Civilized Tribes.

I, Peter Muller do solemnly swear that on the 16<sup>th</sup>  
day of Sept., 1896, I saw a package registered at the postoffice at Idaho  
Ark. addressed to Seporhe chor  
Governor or Chief of the Green Nation, Okmulgee Indian Territory,  
that Registry Receipt No. 385 received from postmaster, hereto attached, is a receipt for said package, which  
contained true copies of the application of Harry C Pennycuik and of the  
affidavits of Harriet Pennycuik  
in support of same.

Subscribed and sworn to before me, on this 16<sup>th</sup> day of Sept., 1896.

My Com. expires March 1/90



Application For Enrollment.

BEFORE THE UNITED STATES COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIANS:

Harry C. Penneywitt Et Al, PETITIONER, VS. Creek Nation, Indian Territory, RESPONDENT. APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION: Your petitioner Harry C. Penneywitt states that Reuben Joxson was a Creek Indian by blood; was duly recognized by the proper authorities as such in the Creek Nation in Ga. and enjoyed all the rights, privileges, benefits and annuities of other Creek Indians by blood in the said Creek Nation or Tribe of Indians, and that the name of the said Reuben Joxson appears, or should appear upon the authenticated rolls of the said Creek Indians for the year. That petitioner is a lineal descendant of the said Reuben Joxson to-wit:

That he is ad amixture of negre and Creek Indian; that he is 35 years of age; that his post-office address is Van Buren, Ark. That he is at least one-eighth Creek Indian. That he derives his Creek blood from his mother, Harriett Penneywitt nee Jackson, who was the daughter of the late the late Alfred Joxson, who was a half-blood Creek Indian, and who resided in the State of Ga., and who was the son of the late Reuben Joxson, who resided near what is now the City of Atlanta, in the State of Ga., but what was then the Creek Nation. That said Al Reuben Joxson, spoke the Creek Indian language; that he was a full blood Creek Indian; and that he was a member of the Creek tribe of Indians.

That under the constitution, laws, usages and customs of the said Creek Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Creek Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other Creek Indians by blood.

That there are now living legal descendants of your said petitioner 3 persons, as follows, to-wit:

|                       |          |     |   |              |
|-----------------------|----------|-----|---|--------------|
| Bertha May Penneywitt | daughter | and | 3 | years of age |
| Bessie Clara          |          | and | 2 | years of age |
|                       |          | and |   | years of age |
|                       |          | and |   | years of age |
|                       |          | and |   | years of age |
|                       |          | and |   | years of age |
|                       |          | and |   | years of age |
|                       |          | and |   | years of age |
|                       |          | and |   | years of age |
|                       |          | and |   | years of age |

Wherefore, the premises considered, your petitioner prays that his name, with those of

his said descendants, to wit:  
Bertha May and Bessie Clara Penneywitt, his legal children  
and.....be enrolled and admitted to all rights, benefits, privileges  
and immunities of other.....Indians, in and to the.....Nation  
or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

Joseph H. Muller  
Attorneys For Petitioners.

The aforementioned petitioner.....Harry Penneywitt.....says that the state-  
ments set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Harry L. Penneywitt  
Petitioner.

Subscribed and sworn to before me, this 13 day of August, 1896.  
E. R. Matlock

My Commission Expires Jan. 8, 1899.  
Notary Public

of the said petitioners have been duly sworn to and taken as at and before  
said.....  
I, the undersigned, a Notary Public in and for the State of Oklahoma, do hereby  
certify that the foregoing petition was duly filed in my office on the 13th day of  
August, 1896, and that the same was duly sworn to and taken as at and before  
said.....  
In testimony whereof, I have hereunto set my hand and the seal of my office  
at Oklahoma City, Oklahoma, this 13th day of August, 1896.

|                                    |                |
|------------------------------------|----------------|
| No. ....                           | Application of |
| .....                              | FOR            |
| Enrollment in.....                 | Nation.....    |
| Filed on the..... day of..... 1896 |                |
| Sec. U.S. Com. Five Civ. Tribes.   |                |
| Attorney for Petitioner.           |                |

No 1949

IN THE MATTER OF

*Henry C. Bennett*

Petition and Memorial  
FOR  
CITIZENSHIP

In the *Creek* Nation, I. T.

Filed 7 Sept. 1896  
H. M. J. J. J. J. J.  
at

*Rejected*

*Joseph P. Middleton*  
Atty.



AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF Harry C. Penneywitt.....  
FOR ADMISSION TO CITIZENSHIP IN THE Creek.....NATION.

STATE OF Arkansas..... }  
COUNTY OF Crawford..... } ss.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, Personally appeared Harriett Penneywitt... who, after being by me duly sworn, states: That she is 58 years of age, and a resident of the State of Arkansas..... and County of Crawford..... and that she is personally acquainted with Harry C. Penneywitt... who is an applicant for citizenship in the Creek..... Nation. Affiant further states:  
(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That the said Harry C. Penneywitt is an admixture of negro and Creek, and is at least one-eighth Creek Indian blood. That he derives his Creek Indian blood from his mother, Harriett Penneywitt, affiant, who is an admixture of negro and Creek, and is at least one-fourth Creek Indian blood. That affiant is the daughter of the late Alfred Joxson, who was a half-blood Creek Indian, as affiant knows, and who lived near the City of Atlanta, Ga., and who was the son of the late Reuben Joxson, and who was, as affiant has always been taught and verily believes, was a full blood Creek Indian, and lived near what is now the City of Atlanta, State of Ga., then the Creek Nation, and who spoke the Creek Indian language, and who was a member of the Creek tribe of Indians.

Affiant further states that she knows that the said Harry C. Penneywitt is the identical person that he represents himself to be in his application for Creek citizenship; and that he is a direct lineal descendant of the late Reuben Joxson Creek Indian family; and that the said Harry C. Penneywitt is rightfully entitled to his rights to citizenship, the same as other Creek Indians by blood, in the Creek Nation., by virtue of his Creek Indian blood.

Affiant further states: That she..... has known the said Harry C. Penneywitt..... for the past 25 years, and knows that he..... has Creek is recognized by his neighbors, acquaintances and the public generally as having..... Indian blood, and that the complex Creek physical appearance of the said Harry C. Penneywitt..... indicate that he is of Creek..... Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Harry C. Penneywitt..... he believes the said Harry C. Penneywitt..... to be a descendant by blood of the Creek..... Indian tribe.

Witness:  
E. L. Matlock  
Subscribed and sworn to before me this 13th day of August 1896.  
E. L. Matlock  
My Commission expires July 8th 1897.

**End**



CR 121

No. 121

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

N. O. Perry

VS.

Orin

Nation.

Received and filed this

day of

189

Secretary.

..... **vs.** ..... **Nation, as follows:**

WITNESS my hand and official seal at Muscogee  
this the 29<sup>th</sup> day of January 1897  
Jas. G. Kingston  
Clark

No 121

J. O. Perry

U.S.

Creek Nation

Order of Appeal

## NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.

In the matter of the application of **N O Perry** to beenrolled as citizens of the **Muskogee** Nation.TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**N. O. Perry**to be enrolled as citizens of the **Muskogee** Nation, from said**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **21st** day of  
**Jan. 1897.** A.D. 189.....

Clerk.



**End**

CR 122



Before the Daves Commission, Vinita, Indian Territory.

John Porter, for his :  
minor children, Alice :  
or Annie and Mary : Plaintiff.  
Porter. :  
VS. ( Answer. )

The Creek Nation, Defendant.

The defendant says: That the said petition does not conform to the rules of this Com. Commission, in this - it is not accompanied with the affidavit or affidavits of a competent witness or witnesses to establish said claim.

2 That the parents of said minors being at the time of their birth free persons the children follow the condition of the father and if the allegations of the petition be true, the minors, Annie and Mary Porter are members of the Cherokee Nation and are not entitled to citizenship in this Nation or to any of the privileges thereof.

*3 The defendant denies the jurisdiction of this Com in this case*  
S. B. Callahan,

Wm. McIntosh,  
Attorney for defendant.

*Wm. McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Wm. McIntosh*

Sworn to and subscribed before me this 22 day of Oct. 1890.

Witness my hand and private seal hereunto affixed and read *last and proper*

*Any Bond exp Oct 10<sup>th</sup> 1900*

Petition No. 735  
of John Porter  
as guardian of Mary &  
Alice Porter.  
for citizenship in the  
Creek Nation.

Filed Sep 3-1896  
H.S. McKinnon  
Clerk

Filed by  
Nelson Fisher  
Musroger.  
9.1.

Subscribed and sworn to before me this  
day of January 1896  
John E. Fisher  
Notary Public.



To the Honorable Deacons Commission.

Comes now John Parter, in behalf, and as natural Guardian and next friend of his children Mary Parter and Annie Parter and declares their right to citizenship in the Creek Nation by virtue of the following facts to-wit:- That the said Mary and Annie Parter are minors under the age of twenty one years and children of your petitioner and his wife Fannie Parter whose maiden name was Fannie Stidham who was a sister of John Stidham whose is a recognized citizen of the Creek Nation by blood, the said John Stidham being born <sup>originally of the Creek Nation</sup> That the said Annie and Mary Parter have resided in the Creek Nation all their life and are still residents of the Creek Nation That while their right to reside in the Creek Nation has never been denied as objected to, yet they have never been placed on the rolls of said nation, nor have they ever been permitted to participate in the annuities and payments distributed among the members of said Nation.

Wherefore your petitioner prays that Mary Parter and Annie Parter may be admitted and enrolled as citizens of the Creek Nation in accordance with

the laws in such cases made and pro-  
vided.

John Parter By  
John E. Sieber his Atty.

John Parter says the statements of the fore-  
going petition are true.

Witness my hand and seal this 31<sup>st</sup> day of July 1896  
mark. ~~Charles Whitmore~~ <sup>his</sup> John X Parter <sup>mark</sup>  
Subscribed and sworn to before me this 31<sup>st</sup>  
day of July 1896

John E. Sieber  
Notary Public.

Petition No. 7937  
as guardian of Mary &  
Oliver Porter.  
for citizenship in the  
Creek Nation.

Filed Sep 3-1896  
A.S. McKinnon  
Clerk

Filed by  
Melancthon  
Misses. J. T.

no 715-122

Amie and Mary

Porter can.

Creek N. W.

Opdaint

ED SEPT. 9. 1896. \*

A. S. McKENNON

COM'R

Rejoice

Okeetah T. T. Sept 7<sup>th</sup> 1896

Received this day of John Parter by Nelsons Lieber  
his attorneys copy of application and evidence in  
case # 715 of Annil Parter et. al for citizenship in  
the Creek Nation

Robt M Intosh

Actg Prin Chief Muskogee Nation.

By

J. M. Callahan

Print secy



John Porter first being duly sworn deposes and says as follows to wit:

That he is the father of Annie and Mary Porter, and that his first wife Fannie Porter, formerly Fannie Stidham was a Creek Indian by blood, and the said Annie and Mary Porter are the lawful issue of said marriage. That he married the said Fannie Stidham at Fort Sill Ind Territory in 1869, and that she died at Camp Supply in 1878, during all which time this affiant was a soldier in the U.S. Army 10<sup>th</sup> Cavalry.

That the parents of the said Fannie died at Fort Gibson and her brother <sup>a recognized and enrolled citizen</sup> John Stidham lived and died on Coal Creek, mouth of ~~the~~ at the confluence of the North fork of Canadian river.

That said Annie and <sup>Mary</sup> ~~Annie~~ have been married and now reside in the Creek Nation, and have farms. That this affiant was a slave of Mr. Duncan a Charlestonian and resided in Flint District Cherokee Nation until 1863, when he entered the <sup>U.S.</sup> Army, in which he served until 1886, and always



claimed the Cherokee Nation as his home,  
and owns an improvement in said Nation  
at this time; and that he and his children  
by his second wife Hannie, are recognized  
as citizens of said Cherokee Nation.

And he says that his said children  
Annie and Mary Parker are entitled to  
Citizenship in the Creek Nation through  
their mother and in the Cherokee Nation  
through their father  
and that neither is yet 21 years of age,  
and that neither is on the rolls of  
either Nation for some reason unknown  
to him, and against justice and right.

Witness  
O. M. Garrett      O. S. P. O. S. P.

Sworn and subscribed before me this 5<sup>th</sup>  
September AD 1896.

John G. Huber      Notary Public.

Witness  
Annie Parker et al.

Before the undersigned authority  
personally appeared this 7th day of  
September A.D. 1896 Jerry Martin of  
Muskegon I.T. P.O. and first being  
duly sworn deposes and says as  
follows to wit: That he <sup>knows</sup> John  
Porter, the father of Mary and Annie  
Porter applicants for citizenship  
and has known him since about 1861.

That he served in the U.S. Army with  
the said John Porter for <sup>seven and a half</sup> ~~some~~ years (7 1/2)  
beginning in 1863. That the said John  
Porter in 1869 married Fannie Tidham  
at Fort Sill I.T. and <sup>they</sup> lived <sup>together</sup> with her  
as man and wife for about eight  
years until her death at Camp Safford.  
That said Fannie Tidham had the  
appearance of a full blood Indian, and  
was known as a Creek Indian, and  
always claimed to me and others that  
she was. That she had two children during  
her marriage to said John Porter, named  
Annie and Mary, who now about  
grown. They reside in the Creek Nation,  
and have been regarded as Creek Citizens  
and have improvements in the Creek  
Nation. John Porter is of African descent  
having been the slave of a Cherokee Indian,  
and has resided in the Territory since  
1861 to my knowledge, except when called  
outside as a soldier. The said Porter's wife's  
brother was <sup>a Creek citizen</sup> John Tidham, Jerry Martin

born and subscribed to before me  
the 7th day of Sept 1896.

Wm G. Luber,  
Notary Public.

W 715-

Amos D. May

Porter com-

Creek Notary

Applicant

ED SEPT. 9 1896. \*

A. S. McKennon

COM 'R'

Rejected

**End**

CR 123



of "Theology of Creation"  
which has been found in the  
Shroton and other books

To His Excellency Henry A. Sawyer  
Hon. Sec. of Agriculture, Wash. D. C.  
Washington, D. C.  
Dear Sir: I have the honor to acknowledge  
the receipt of your letter of the 10th inst.  
relative to the matter of the  
State Commission on the subject of  
the survey of the land of the  
State of New York, and in reply to inform  
you that the same has been forwarded to  
the proper authorities for their consideration.

or other nation. The petitioner of  
Crawford Jones swears that  
she is a descendant of the  
of the Creek Nation that she is  
about forty five years of age -  
She further states that she is the  
daughter of Hardy Keeler who  
was of full blood Creek Indian her  
mother was Maria Keeler a colored  
woman. The petitioner was born  
near the old Creek Agency west  
of Muskogee, Ind. Hardy Keeler  
and Maria Keeler were husband  
and wife by a blanket wedding  
such as was then known to the  
Creek Indians. Petitioner was  
born while Hardy Keeler  
and Maria Keeler were living  
and cohabiting together as  
husband and wife in the Creek  
Nation. Petitioner has no children.

United States of America )  
Indian Territory )SS  
Northern District.

Personally appeared before me John Leech-  
er to me personally known, who being by me first duly sworn  
upon his oath says as follows:-

I am about 75 years old. My Post  
Office is Muscogee Indian Territory. I am a citizen of the Creek  
Nation by blood, and a member of Tuckabatchee town. I am well  
and personally acquainted with Caroline Pierce, and have been all  
her life. She is an own daughter of my brother Hardy Leecher.  
She was born near the Old Creek Agency west of Muskogee.

My brother lived with her mother Marie Low, under the  
style of an Indian Blanket Wedding for some time just prior to  
the time that Caroline Pierce was born. I have heard my  
brother frequently acknowledge Caroline Pierce as his child, and  
he even wanted to take her and raise her and her mothers people  
objected and would not let him have her. I have heard her mother  
say that she was the child of my brother Hardy Leecher. Her  
mother and father are both dead. Caroline Pierce is therefore  
a one half Creek Indian by blood and a member of the Leecher  
family of Creek Indians. I have no personal interest in the pres-  
ecution of her claim before the Creek Citizenship Commission, or  
any other tribunal, but I know that she is a member of my brothers  
family, and as much legally entitled to be on the Creek Rolls as  
I myself am. I am sick and unable to attend any Court to give  
my testimony in her behalf.

Witness to signature

W. A. Libman

John Leecher

Sworn to and subscribed before me this 1, day of August 1896.

W. A. Libman  
Notary Public.

#  
Case of Caroline Pierce  
for citizenship in  
Creek Nation

Affidavit of  
Talley Lewis

Indian Territory Northern District S.D.

In the matter of the application of Caroline  
Pierce and decedents for  
citizenship in the Creek Nation

On the 8<sup>th</sup> day of August 1886 personally  
appeared before me a Notary Public within  
and for the above named District Alley

Levee, aged 28 years, whose address  
is Muskogee, Ind. Terr. who is a single man  
and was born in Alabama and is a resident of the same.

That he is well acquainted with Caroline  
Pierce and has known her since her child-  
hood, at all times as well acquainted with  
Marion Levee, mother of Caroline Pierce, and  
Big Hardy as Lucker father of Caroline Pierce,  
and knows them to be the parents of said  
Caroline Pierce.

That said Big Hardy as Lucker was always  
recognized as a Creek Indian by blood, by  
the communities in which he lived, and by  
his relatives. That said Big Hardy as Lucker  
was a member of Muckabatcha Town and was  
killed before the late war of the rebellion.

That said Big Hardy as Lucker always  
recognized said Caroline Pierce as his daugh-  
ter, and fed and clothed her until his death.

That said Caroline Pierce, the above named  
applicant, is the identical person she repre-  
sents herself to be. That affiant has no



interest in the promotion of this claim.  
 Witness to John McKinney <sup>his</sup> ~~also~~ <sup>Levy</sup>  
 mark ~~mark~~  
 subscribed and sworn to before me this  
 8<sup>th</sup> day of June 1874  
 John H. Fisher  
 Notary Public.

#  
 Base of Caroline Pierce  
 for citizenship in  
 Creek Nation  
 Affidavit of  
 Talley Lewis



REGISTRY RECEIPT.

Post Office at

Registered Letter

No. 168

Rec'd

9/5

1894

of *Wm. Dunn - Pine Grove*

addressed to

*Wm. Dunn - Pine Grove  
English St  
Pine Grove N. H.*

3415

Caroline Pierce  
v2  
Oruk Mahon

J. P. M. Turner  
Missouri  
J. H.

John Doe  
District of Columbia  
I, Basil Keble, do  
solemnly swear that on the  
5th day of Sept 1894, I saw  
a package registered at the  
Post office at New York  
addressed to Bob Mcintosh  
2nd and acting Prince of Chief  
of the Muscogee Nation and saw  
that registry receipt No 160  
received from Postmaster there  
attached is a receipt for said  
package which contains true  
copies of the application of  
Mcintosh and of the  
affidavits of John Leach and  
Lally Lewis in support of  
same subscribed  
and sworn to before me } Basil Keble  
on the 5th Sept 1894  
Notary Public  
Basil Kebleman.  
Notary Public.

THE HISTORY OF THE CITY OF NEW YORK

[illegible]

1. The first of these is the fact that the
 2. Government has been unable to
 3. obtain the necessary information
 4. to enable it to make a
 5. proper assessment of the
 6. situation in the country.
 7. This is due to the fact
 8. that the Government has
 9. been unable to obtain
 10. the necessary information
 11. to enable it to make a
 12. proper assessment of the
 13. situation in the country.
 14. This is due to the fact
 15. that the Government has
 16. been unable to obtain
 17. the necessary information
 18. to enable it to make a
 19. proper assessment of the
 20. situation in the country.

100

1. *Madame*

PLEASE SEE US AT THE  
CROTONA PARK MALL

Dr. J. J. Van der Vliet, M.D., is the author of

BEFORE THE DAVIS COMMISSION, VINITA, INDIAN TERRITORY.

Caroline Pearce, for: :  
herself and 2 children:----- Plaintiff.

vs. (Answer.

The Creek Nation,----- Defendant.

1. The defendant for answer says: That the statements in her application show that she is of African descent, that she was carried to Texas and married there. She does not state when she returned to this Nation and does not state facts sufficient to bring her within the provisions of the Treaty of 1866 and defendant insists that her said petition or application be dismissed.

2. And for a further answer the defendant says: That the said applicant is not entitled to citizenship on account on account of Creek Indian blood, because it appears that at the time of her birth her mother was a Negro slave and not a citizen of the Creek Nation and the applicant inherited no rights of citizenship from her said mother, and could only come in as a person of African descent; it also appearing from said application that said applicant married in the State of Texas and never heretofore made application for citizenship and that she is not entitled to citizenship in this Nation or to any of the privileges thereof.

S. P. Callahan,  
Rummy McIntosh,  
Attorneys for defendant.

B. J. W. A. says he believes the matters and things set forth in the foregoing answer to be true.

Bummy McIntosh

Sworn to and subscribed before me this 22<sup>nd</sup> day of October, 1896.

Notary Public  
for the Territory of Oklahoma  
at Vinita, Oklahoma

W. J. W. A. 10th 1900



**End**

AR 124

Affidavit of  
J. B. Butler  
original

---

J. B. Butler  
Atty

# Affidavit

J. B. Butler being sworn states; I am  
 a Cherokee Indian and on the true roll  
 of citizens, I was born and raised here in  
 the Cherokee Nation near Choteau, I. T., and  
 I am well acquainted with Lucindy Phil-  
 ips and her children, as they live only  
 a short distance from Choteau, I. T., in  
 the Creek Nation, where they have a nice  
 little home. I have known the Philips  
 family for 9 or 10 years, and they have been  
 living in the Creek Nation all the time  
 and have been considered as Creek citizens  
 in the neighborhood. Mrs. Philips shows  
 to be part Indian by her hair and her  
 color. The following is a list of her  
 children:

|                   |     |          |         |
|-------------------|-----|----------|---------|
| Lucindy Philips   | age | 46 years | mother  |
| Margarette Morris | "   | 29       | " D.    |
| J. Philips        | "   | 27       | " S.    |
| Susie Moore       | "   | 21       | " D.    |
| Margarette        | "   | 4        | " G. D. |
| Mollie Hindman    | "   | 13       | " G. D. |
| Lillman Philips   | "   | 19       | " S.    |
| Lillie            | "   | 11       | " D.    |
| Ruth Cordelia     | "   | 5        | " D.    |

J. B. Butler

Signed and sworn to before me on this Sept 4<sup>th</sup>  
 1846 Choteau Ind. Terr. {  
 Notary Public

Signed and sworn to before me on this 24<sup>th</sup> day of August 1896  
Notary Public

W. B. Blizard  
Notary Public

Wm Jenkins  
Affidavit in  
Lucindy Phillips  
original

W. B. Blizard  
Atty



William Jenkins being sworn states, I am 35 years old and I know or saw Lucindy Philips here in the Creek Nation Indian Territory in the year 1866, I was only about six or seven years old when I first saw her here and I have known her ever since to be and live here in the Creek Nation, and have always considered and thought her to be a Creek Citizen. Her color, and hair show her to be not Indian by blood, I never knew her father or mother, I am a Creek Citizen draw money and vote here and exercise all the duties of other Creek Citizens, I have been seeing her and living near her for the last nine years, I know the following to be the true list of her children and grand children living in the Creek Nation Indian Territory and all alive.

viz:

|                   |        |          |
|-------------------|--------|----------|
| Lucindy Philips   | age 46 | mother   |
| Margarette Morris | " 29 " | Daughter |
| John Philips      | " 27 " | Son      |
| Susie Moore       | " 21 " | Daughter |
| Margarette "      | " 4 "  | G. D.    |
| Mollie Windman    | " 13 " | G. D.    |
| Lillman Philips   | " 19 " | Son      |
| Lillie "          | " 11 " | Daughter |
| Ruth Cordelia "   | " 5 "  | "        |

The above is a true and correct statement in

full.

Witness  
John Philips

his  
William Jenkins  
mark

Signed and Sworn to before me on this au-  
gust 24<sup>th</sup> 1896  
Choteau Ind. Terr.  
Northern Judicial Dist.

W. P. Blodson  
Notary Public

Wm Jenkins  
Affidavit in  
Lucindy Philips case  
Original

W. P. Blodson  
Notary

original

Bernitine

Richard Baxendale personally appeared before me a Notary Public and after being sworn states, I have known Lucindy Philips from childhood and knew her mother Luvicy Elliott when Lucindy Philips was a small child. Luvicy Elliott was a slave of the Creek citizen, Captain Alfred Elliott in Feb. 1863 or until freed by the emancipation proclamation, and she returned to the Creek Nation in 1866 and has made it her home ever since. I know her father, a full blood Creek Indian, John Hatfield, who lived and made his home in the Creek Nation, Indian Territory and does till this day and his citizenship has never been questioned. These are members of Lucindy Philips family viz:

|                   |              |          |
|-------------------|--------------|----------|
| Lucindy Philips   | age 46 years | mother   |
| Margarette Morris | " 29 "       | Daughter |
| John Philips      | " 27 "       | Son      |
| Susie Moore       | " 21 "       | Daughter |
| Margarette "      | " 4 "        | G. D.    |
| Mollie Hindman    | " 13 "       | G. D.    |
| Lillman Philips   | " 19 "       | Son      |
| Lillie            | " 11 "       | Daughter |
| Beth Cordelia     | " 5 "        | "        |

I know the above to be true and a true list of her family now and all are living in the Creek

Nation Indian Territory Except Lucie  
Morse and her child who now reside in  
Litch Rock Ark.

Richard B. Brinton

Signed and sworn to before me on this  
August 3/84 1896.

S. A. Jones Notary Public

Commission Expires March 9, 1900.

Attest  
Richard B. Brinton  
original

In presence of Philip  
Case before  
L. A. Jones Commission

L. A. Jones  
Attorney.



Affidavit of  
M. D. Proglie  
original

D. H. Jones Notary Public  
Commission Expires March 9, 1900.

J. P. Blodgett  
Atty.



original

M. D. Proctor <sup>states</sup> known Luc-  
cindy Philips has since her birth and  
also her father, John Hatfield a full blood  
Creek Indian and a citizen and resident  
of the Creek tribe of Indians in the Indian  
Territory, John Hatfield was never a slave  
but her mother Luvicy Elliott was a slave  
of Captain Alfred Elliott, a Creek citizen  
until Feb. 1863, or the emancipation of slaves  
and I further know that she returned to  
the Creek Nation, Indian Territory in 1866  
and has made it her home ever since.  
I know her to be a Creek Indian by blood  
as well as a slave of a Creek citizen  
and entitled to citizenship by reason of either  
or both, her mother being part African and  
part white. I know the following to be  
her family and now living in the Creek Na-  
tion Indian Territory, viz,

|                   |            |          |
|-------------------|------------|----------|
| Lucindy Philips   | age 46 yrs | Mother   |
| Margarette Morris | " 29 "     | Daughter |
| John Philips      | " 27 "     | Son      |
| Susie Moore       | " 21 "     | Daughter |
| Margarette "      | " 4 "      | g. "     |
| Mollie Hindman    | " 13 "     | g. "     |
| Lillman Philips   | " 19 "     | Son      |
| Lillie "          | " 11 "     | Daughter |
| Ruth Cordelia "   | " 5 "      | "        |

The above is true and the within is a true list  
of her family now living in the Creek Nation  
Indian Territory

Chas. D. Broglie

Signed and Sworn to before me on this  
August 31<sup>st</sup> 1896

S. A. Jones, Notary Public

*Commission Expires March. 9, 1900.*

Affidavit of  
 M. D. Maglieri  
 original

Alfred, 11/11/11.

affidavit of  
Geo Hall  
~~and~~  
original

---

W. P. Blodoe  
Atty.

(affidavit-  
original)

I have known Mrs. Lucindy Phillips  
for the last nine years and I have  
known her to be living in the Creek  
Country for a long time - I have heard her  
speak often of her right as a Creek  
citizen and I believe from her state-  
ments made to me at various times  
that she is entitled to be enrolled as  
a Creek Citizen. She has a good home  
in Coward District and has been  
living here in its vicinity for the last  
5 or 6 years - She moved from near  
Muscogee, D. T. in the Creek Nation  
to this place.

Frederick <sup>his</sup> Hall  
mark

Signed and sworn to before me on this  
24<sup>th</sup> of Aug. 1896.

Chas. L. Lee, Secy.  
Arthur M. Lee, Secy.

W. B. Lee, Secy.  
Notary Public.

application of  
Lucindy Philips  
original.

---

L. P. Blunsie  
Att'y.



affidavit  
orig

My name is Lucindy Philips My father  
name is John Hatfield a full blood Creek  
Indian <sup>or member</sup> and a resident of the Creek Country  
<sup>whose citizenship has never been questioned</sup>  
My mother's name is Luray Elliott and  
she was a half bred African and white  
and a slave of Captain Alfred Elliott  
a Creek Citizen when I was born in  
1850 and ~~was~~ we were slaves until  
the emancipation proclamation put  
us in 1863. I returned to the Creek Na-  
tion in 1866 and have considered this  
my home ever since and have had no  
other home but this and pray that your  
honorable body will not now in my old  
age drive me and my children from my  
home which I hold in authority of the  
Creek officers, but enroll us upon the  
Creek Roll of Indians - I have six children  
and two grand children living and entitled  
to enrollment viz: Margaretta Morris age:  
29 yrs. John Phillips 27 yrs Son  
Susie Moore age 21 yrs Daughter  
Margaretta " " " " G. Daughter.  
Mollie Huidman 13 " G. "  
Silman Phillips 19 " Son  
Lillie " 11 " Daughter  
Ruth Cordelia " 5 " "  
Lucindy <sup>her</sup> Phillips

Signed and sworn to before me . . . This August  
24<sup>th</sup> 1896.  
Chotiau, s. . . . .  
Arthur J. L. . . . .  
Notary Public

Attestation of  
X. . . . .  
Notary Public

Attestation of  
X. . . . .  
Notary Public

7019  
Lucinda Phillips  
application  
for Citizenship  
vs

James Watson

FILED SEPT. 10 1896. ★  
A. S. McKENNON  
COM. R.

Respectfully

Watson, J. J.

United States of America  
 Indian Territory } S.S.  
 Northern Judicial District

Application for Enrollment:  
 To the Hon. Dawes Com<sup>rs</sup> - Agents:  
 Agents: The undersigned your petitioner  
 Lucindy Phillips for and in behalf  
 of herself and children, this day makes  
 this, their application to you for enroll-  
 ment on the Creek Roll of Indians  
 as one entitled to share in the funds and  
 lands of the Creek Side of Indians  
 in the Indian Territory, by virtue of  
 their servitude or slaveborn, and  
 also by blood. As such your appli-  
 cant shall ever pray.  
 Enrollment of Family - age - Relation

|                   |    |             |
|-------------------|----|-------------|
| Lucindy Phillips  | 46 | Mother      |
| Margarette Morris | 29 | Daughter    |
| John              | 27 | Son         |
| Susie Moore       | 21 | Daughter    |
| Margarette        | 4  | G. Daughter |
| Mollie Windward   | 13 | G. "        |
| Lillian Phillips  | 19 | Son         |
| Lillie            | 11 | Daughter    |
| Ruth Cordelia     | 5  | "           |

In witness whereof I hereunto set my hand  
 Choteau Ind. Terr.  
 August 12<sup>th</sup> 1896 } Lucindy <sup>the</sup> Phillips  
 mark

ALFONSO DE GARCIA  
BIOGRAPHICAL

OF CALIFORNIA

1890

OFFICE OF THE HISTORICAL SOCIETY OF CALIFORNIA

1001 CALIFORNIA STREET, SAN FRANCISCO, CALIF.

1890

NOT RECORDED IN THE OFFICE OF THE HISTORICAL SOCIETY

OF CALIFORNIA, BUT IN THE OFFICE OF THE HISTORICAL SOCIETY

OF CALIFORNIA, 1001 CALIFORNIA STREET, SAN FRANCISCO, CALIF.

RECORDED IN THE OFFICE OF THE HISTORICAL SOCIETY

OF CALIFORNIA, 1001 CALIFORNIA STREET, SAN FRANCISCO, CALIF.

NOT RECORDED IN THE OFFICE OF THE HISTORICAL SOCIETY

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RECORDED IN THE OFFICE OF THE HISTORICAL SOCIETY

OF CALIFORNIA

1890

NOT RECORDED IN THE OFFICE OF THE HISTORICAL SOCIETY

OF CALIFORNIA, BUT IN THE OFFICE OF THE HISTORICAL SOCIETY

OF CALIFORNIA, 1001 CALIFORNIA STREET, SAN FRANCISCO, CALIF.

RECORDED IN THE OFFICE OF THE HISTORICAL SOCIETY

OF CALIFORNIA, 1001 CALIFORNIA STREET, SAN FRANCISCO, CALIF.



Before the Dawes Commission, Vinita, Indian Territory.

Lucinda Phillips, and :  
her eight children. :  
vs. ( Answer. :  
The Creek Nation. : Defendant.

The defendant says the plaintiff's claim as persons of African descent under the provisions of 2nd. Article of the Treaty of 1866, and allers no reason why they have never applied to the authorities of this Nation to be enrolled as citizens.

2 Defendant denies that the plaintiff returned to this country within twelve months after the ratification of the Treaty of 1866, and also denies that the facts stated in the said application are not sufficient to show them entitled to citizenship in this Nation.

Wherefore the defendant says that the said applicants are not entitled to citizenship in this Nation or to any of the privileges thereof.

S. F. Callahan.

Sammy McIntosh,  
Attorneys for defendant.

*Plaintiff's answer* says that he believes the matters and things set forth in the foregoing answer to be true.

*Plaintiff's answer*

Sworn to and subscribed before me this 2nd day of October 1896.

*Notary Public for the Territory of Oklahoma*

*Notary Public for the Territory of Oklahoma*

**End**

CR 125

Indian Territory, }  
Northern District, } ss.

J. H. Land first day sworn on his oath says, that he was well acquainted with Robert McEllep. During the years of 1890 to 1896. That he was mentally sound, and capable of transacting any and all kinds of business, ~~and was engaged in the~~  
~~mercantile business, and was engaged in the mercantile business~~  
~~with James~~ ~~and was engaged in the mercantile business~~ at the Town of Sapulpa, ~~O.T.~~ That he transacted all his own business and was perfectly competent, and was so treated by all the people of this vicinity. And that if he gave any evidence in the Citizen-Ship case of Mrs Nancy Bulster. During these years, he was certainly mentally sound and knew what he was doing, and that he never did lose his reasoning powers, but retained them till his death. That he died at the residence of Sam Brown, in the year of 1896.

J. H. Land

Subscribed and sworn to before me this the 24 day of March 1902.

Commission Expires July 20th 1903 G. L. Mann  
Notary Public.

Indian Territory, }  
Northern District, } ss.

Joseph Dummer, being first duly sworn on his oath ~~##~~  
says, that he was well acquainted with Mr Robert McKellop. During the  
Years of 1890 to 1896. That he was mentally sound, and capable of  
transacting any and all kinds of business, ~~and was engaged in the~~  
~~business of a merchant, and made many and numerous business transactions~~  
~~with~~ ~~while I was engaged in the Merchantile Business at~~  
~~the town of Sapulpa, Okla.~~ That he transacted all his own Business and  
was perfectly competent, and was so treated by all the People of this  
vicinity. And that if he gave any Evidence in the Citizen-Ship case of  
Mrs Nancy Ralston. during these years, he was certainly mentally sound  
and knew what he was doing, And that he never did Lose his Reasoning  
Powers, but retained them till his death, That he died at the Residence  
of Sam Brown, in the year of 1896.

Subscribed and sworn to before me this 24 day of March 1902.

My Commission expires

July 24<sup>th</sup> 1903  
Notary Public.



Copy,  
Ralston  
affidavit

Indian Territory. )  
Northern District, ) ss.

John F. Egan first duly sworn on his oath ~~##~~  
says, that he was well acquainted with ~~r~~ Robert McKellop. During the  
Years of 1894 to 1896. That he was mentally sound, and capable of  
transacting any and all kinds of business, ~~and was engaged in the~~  
~~business of~~, and made many and numerous Business Transactions  
with Mr while I was engaged in the Merchantile Business at  
the Town of Sapulpa ~~in~~ .T. That he transacted all his own Business and  
was perfectly competent, and was so treated by all the People of this  
vicinity. And that if he gave any Evidence in the Citizen-Ship case of  
Mrs Nancy Ralston. during these years, he was certainly mentally sound  
and knew what he was doing, And that he never did lose his Reasoning  
Powers, but retained them till his death, That he died at the Residence  
of Sam Brown, in the year of 1896.

John F. Egan

Subscribed and sworn to before me this the ~~##~~ 7th day of March 1902.

My Commission expires July 20th 1903 John F. Egan  
Notary Public.

Indian Territory )  
Northern District ) ss.

J. C. Munger Being first duly sworn on his oath  
says, that he was well acquainted with Mr Robert McKellop, during the  
years of \_\_\_\_\_ that he was mentally sound, and capable of  
transacting any and all kinds of Business, that he transacted all his  
own Business, and was perfectly competent. And was so treated by all  
the People of this Vicinity, which said Vicinity is and was Near the  
Towns of Redfork and Sapulpa Creek Nation I.T. and that if he ever gave  
any ~~any~~ evidence in the Citizen ship cases of Mrs Nancy Ralston, during  
these years, he was certainly mentally sound, and knew what he was  
doing, and that he never did lose his reasoning Powers, but retained  
them till his Death, <sup>so far as I have learned</sup> ~~that he died at the residence of Sam Brown in the~~  
~~year of 1896.~~

J. C. Munger  
Subscribed and sworn to before me this the 27 day of March 1902.

My Commission expires

July 16 1904

John T. Egan  
Notary Public.

905  
From ...  
20



Indian Territory,  
Ottawa District, ss.

Chester Holatta first duly sworn on his oath  
says, that he was well acquainted with Mr Robert McKellop. During the  
years of 1890 to 1896. That he was mentally sound, and capable of  
transacting any and all kinds of business, ~~and was engaged in the~~  
~~mercantile business, and was engaged in the~~ Business Transactions  
~~with~~ While I was engaged in the Mercantile Business at  
~~the Town of Sapulpa, Okla.~~ That he transacted all his own Business and  
was perfectly competent, and was so treated by all the People of this  
vicinity. And that if he gave any Evidence in the Citizen-Ship case of  
Mr Harry Halston. During these years, he was certainly mentally sound  
and knew what he was doing, and that he never did lose his Reasoning  
powers, but retained them till his death, That he died at the Residence  
of Sam Brown, in the year of 1896.

Witness my hand  
this 24th day of March 1902.

Chester Holatta  
mark

Subscribed and sworn to before me this the 24 day of March 1902.

Commission Expires May 20 1903

J. L. Myers  
Notary Public.



No. 35

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Nancy Philston et al

VS.

(West)

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED JULY 1911

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of  
vs. Nation, as follows:

WITNESS my hand and official seal at *Muscogee*  
this the *29<sup>th</sup>* day of *January* 189*7*  
*Jas. C. Winston*  
*Clerk.*

No 128-

Nancy Ralston Etal

vs.

Creek Nation

Order of Appeal

## NOTICE.

282

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

In the United States Court for said District.  
In the matter of the application of .....  
SS. **Nancy Ralston et al** .....to be  
enrolled as citizens of the **Muskogee** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**Nancy Ralston et als**

to be enrolled as citizens of the **Muskogee** Nation, from said

**Commission**  
to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **22nd** day of  
**Jan. 1897.** A.D. 189.....

*William M. Springer*  
Clerk.

Midmer & Root,  
Lawyers,  
Savannah, S. C.

3-27-1802

Please file these with  
rest of Radcliff's old Papers

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**End**

ca 126

No 126

Mrs Ella Ray Et al

Crus. V.S.

~~Cherokee~~ Nation

Appeal order of  
W.S. Court

126

## NOTICE.

#57

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.

In the matter of the application of  
Mrs. Ella Ray et als to be  
enrolled as citizens of the Creek Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Mrs. Ella Ray et als

to be enrolled as citizens of the Creek or Muskogee Nation, from said  
Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested  
by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a  
transcript of all the entries made in the docket of your tribunal relating to the case, together with the  
depositions and testimony taken before said tribunal; the decision thereof on the application, and all original  
papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 16th day of  
Dec. 1896, A.D. 189

Clerk.

No. 126

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Mrs Ella Ray C. H.

VS.

Ans

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR PORT FORT SMITH





**End**

CR 127

No. 127-

RECEIPT

FOR ORIGINAL EMBROIDERY IN THE CASE OF

*Caroline Reynolds*

VS.

*Chas. J.*

Notion.

Received and paid for

day of

189

Secretary.

VS. **Notion, as follows:**

V8.

Notion, as follows:

WITNESS my hand and official seal at New York

this the 26<sup>th</sup> day of January, 1907

of *Inventory* 1897  
*Jas. A. Houston*  
*Chick*



No 127-

Caroline Reynolds  
Etal

vs.

Creek Nation

Order of Appeal

#220

## NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

In the United States Court for said District.  
In the matter of the application of .....  
ss. Caroline Reynolds et al .....to be  
enrolled as citizens of the Creek ..... Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Caroline Reynolds et al

to be enrolled as citizens of the Creek ..... Nation, from said  
Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 18th ..... day of  
Jan, 1897. A.D. 189.....

John Austin Clerk.

**End**

CR 128

#723

as follows: Seth Joren, Mauda Humphrey,  
Carolee Mullen and David Davis, all of whom  
are now residing in the Beech Park.  
Helen X Franklin  
mark.

St. E. Norcross

Seth Joren

Subscribed and sworn to before me this 31<sup>st</sup>  
day of August 1896 John L. Davis  
Notary Public.

FILED 8-1-96



Chicotah I.T., Sept 7<sup>th</sup> 96.

Received this day of James Roberts  
per Nelson & Lister her attorneys copy  
of application and evidence in  
Case # 723 of James Roberts for  
Citizenship in the Creek Nation

Ruby McIntosh

McAllahan  
Private Secy

Acting Chief Muscogee Nation

Indian Territory Northern District S. S.

In the matter of the application of Jennie Roberts for citizenship in the Creek Nation.

On this 31<sup>st</sup> day of August 1886 personally appeared before me a Notary Public within and for the above named District Flora Franklin, aged about 65 years, whose P. O. address is Lee Ind. Ter., who after being duly sworn declares in relation to aforesaid claim as follows: That she is of African descent, and was brought to the Creek Nation from Alabama as a slave. That she was taken from the Creek Nation, by her master James McDaniel sometime before the late war, and that she returned to the Creek Nation in the year 1880 and has resided therein ever since.

That affiant is the daughter of Monday Durant who was of African descent, and an enrolled and recognized citizen of the Creek Nation, under the treaty of 1866 between the United States and said Creek Nation.

That affiant is the mother of Jennie Roberts the above named applicant, who was born in lawful wedlock, and who has resided in the Creek Nation since the year 1880, and is now residing on her own place in said Nation, the said Jennie Roberts, being permitted to reside in said Creek Nation, and own a home therein under act of the Creek Council passed in 1881 or 82.

That said Monday Durant was a member of the  
Creek Council, and also Town King of one of the  
colored towns, and that he died about the  
year 1888 in the Creek Nation.

That affiant's former husband, Willis Loren, and  
her son Ketch Loren have been required to work  
the roads by the Creek Nation as citizens thereof.

That affiant is the mother of four other children  
as follows: Ketch Loren, Marinda Humphrey,  
Paralee Mullen and Sarah Parish, all of whom  
are now residing in the Creek Nation.

Elara <sup>her</sup> X Franklin  
mark.

A. E. Durand

Ketch Loren

Subscribed and sworn to before me this 31<sup>st</sup>  
day of August 1896

John L. Lister  
Notary Public.

#723

# No 722

Case of  
Jennie Roberts  
for citizenship in the  
Creek Nation

Filed Sept 2-1894

A S McKinnon  
Clerk

Rejected

Filed by

Nelsons Heber.

attest law.

Mineroga,

Ind. Ter.



The Honorable Dances Commission

Application of Jennie Roberts  
of African descent for citizenship  
in the Creek Nation.

Jennie Roberts makes applica-  
tion for citizenship in the Creek  
Nation, and bases her claim  
upon the following facts to wit:

She is a person of African  
descent and has resided in the  
said Nation since 1880 with  
the consent of said Nation.

She is a grand-daughter  
of Monday Durant, who was  
a recognized Creek Citizen  
under the Treaty of 1866 from  
that day until his death  
about 8 years ago.

Her mother was Flora Loren  
now Flora Franklin, a daughter  
of Monday Durant and Jane  
his lawful wife.

She states further that her  
husband Dan Roberts is  
a recognized citizen of the said  
Creek Nation.

She states further, that she



together with her Mother now  
Flora Franklin were always and  
are now permitted by the Creek  
authorities to enjoy the  
privileges of Creek Citizens in  
every respect except to draw  
money, they having built  
homes and lived in the  
Country without interrup-  
tion since 1880.

She claims also the right  
to become enrolled as the  
wife of her said Husband Dore  
Roberts, a Creek Citizen to whom  
she was lawfully married by  
a Baptist Minister named  
Jesse Franklin about 16 years  
ago, near the home of <sup>her</sup> grand-  
father Sunday Durant in  
the Creek Nation. <sup>For further evidence</sup>  
<sup>she refers to the fact that a copy of the marriage license of Flora Franklin</sup>  
Wherefore she prays that <sup>his</sup>  
she may be enrolled as  
a Creek Citizen.

Witness:

A. E. Durant

Jessie + Roberts  
Mark

Subscribed and sworn to before me this 31<sup>st</sup> day  
of August 1896 John E. Luber  
Notary Public.

Wm. L. Davis,  
Attorney at Law,  
St. Paul, Minn.

Connecticut or elsewhere.

not by any authority of this defendant expressed by act of  
any law here without intervention of any lawful person and

defendant says it has been allowed to build houses  
belonging to them would be citizens.

The defendant says in her complaint that she never arrived at

the Creek nation to see the authorities of Creek nation.

Defendant says plaintiff is not a citizen of the United States

and that she is entitled to citizenship in the Creek nation under the

act of 1890 and does not show in this case that she is not a citizen

of the United States and that she is not a citizen of the Creek nation

and that she is not a citizen of the United States and that she is not

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Creek nation and that she is not a citizen of the United States

and that she is not a citizen of the United States and that she is not

Before the Dawes Commission, Vinita, Indian Territory.

Jemie Roberts,----- Plaintiff,

VS. (Petition for enrollment.)

The Creek Nation,----- Defendant.

-----  
The defendant for answer says: That the ~~xxxxxxxxxxxx~~ plaintiff is a person of African descent who came to this Nation in 1880 and does not show by the facts set forth in her complaint that she is entitled to citizenship in the Creek Nation under the provisions of 2nd Article of the Treaty of 1866.

2. Denies that plaintiff and her mother were ever permitted by the Creek authorities to enjoy the privileges of Creek citizens. The plaintiff admits in her complaint they were never enrolled or permitted to draw money as citizens.

3. *The defendant denies that this Ann Corn has permission to live here.*  
Defendant says if they have been allowed to build homes

and live here without interruption it was merely permission and not by any authority of this defendant expressed by act of Council or otherwise.

S. R. Callahan,

Harry McIntosh,

Ben T. DuVal,  
Attorneys for defendant.

*Bessie McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bessie McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896

*Wm. M. Rogers (Seal)*  
*Notary Public*  
*Wm. Cunningham, Secy, 6410 1900*

**End**



CR 129



To The Honorable Dawes Commission,  
on Citizenship in the Five Civilized Tribes  
of Indians in the Indian Territory.

Your petitioner Annie A. Roberts  
undersigned, respectfully states that  
that she is a member of the Creek  
Tribe of Indians and is a citizen of  
the Creek Nation in the Indian Territory  
by right of Marriage, and asks  
to be enrolled as such.

That she is a white woman, and  
has been a resident of the Creek  
Nation for about six years, but  
was formerly a resident of the  
Chickasaw Nation Indian Territory  
where she met Mr. W. J. Roberts, a  
Creek Indian man, whom she after-  
wards married, according to the  
laws governing said Country,  
Jan. 31<sup>st</sup> 1889. and with whom she  
has lived ever since being married.  
That they came into the Creek Nation  
about six years ago and have  
lived here ever since.

That her husband Mr. W. J. Roberts is  
a boni fide Creek citizen by blood.  
That she is recognized by the

Tribal Authorities as a Creek Citizen  
by Marriage.

Your petitioner states the above  
facts as the lawful grounds of  
her application for Citizenship  
in the Creek Nation, and prays  
that her claim may receive due  
consideration by your Honorable  
Commission and that her name  
be enrolled on the Hickory Ground  
Town Rolls of the Citizenship Roll  
of the Creek Nation, as a member  
of the said Hickory Ground Town  
and Tribe of Creek Indians in the  
Indian Territory.

A. A. Roberts

Subscribed and sworn to  
before me this 9th day of  
September 1896

And A. Parkinson  
Notary Public

United States of America }  
Creek Nation. } SS  
Indian Territory }

On this 9<sup>th</sup> day of September  
AD 1896. personally appeared before  
me the undersigned authority,  
W. J. Roberts, who being duly sworn  
by me, deposes and says that  
he is a Horse and Saddle maker  
of Okmulgee St. That he was for-  
merly a resident of Chickasaw  
Nation where he made the acquain-  
tance of Anna A. Wright a white  
lady whom he afterwards married  
in accordance with the laws,  
governing the said Chickasaw Nation,  
Jan 3<sup>rd</sup> 1884 ~~Anna A. Wright~~ with whom he  
has lived ever since that they im-  
migrated to the Creek Nation about  
six years ago, and have lived  
here ever since. That he is a boni-  
fide Creek Citizen by blood and is  
a member of Hickory Ground Town  
of Creek Indians. That his wife  
Anna A. Roberts is a recognized  
Creek Citizen by right of marriage.  
W. J. Roberts

Subscribed and sworn to before me this 9<sup>th</sup> day of  
Sept 1896. Fred A. Parkinson Notary Public

139

1890

In the matter of  
Amra. A. Roberts  
claim to citizen-  
ship in the  
Creek Nation

and  
affidavits of  
W. F. Roberts and  
W. E. Throckmorton  
in support of  
same.

FILED SEPT. 9 1890.

A. S. McKENNON

COM 'R'  
Replied

Attest  
20



United States of America }  
Creek Nation } S.S.  
Indian Territory }

On this 9th day of September, personally appeared before me, Mrs. N.E. Throckmorton who being duly sworn by me deposes and says, that she is personally acquainted with Mrs. Anna A. Roberts <sup>and has been for about 15 years</sup> and knows that she is the wife of W.J. Roberts who is a boni fide Creek citizen by blood and is a resident Okmulgee Creek Nation Indian Territory that she the said Mrs. Anna A. Roberts is recognized by the Creek Tribal authorities as being a Creek citizen by marriage  
N.E. Throckmorton

Subscribed and sworn to before me this 9th day of September 1896

Frederick A. Parkinson  
Notary Public



Before the Daves Commission, Vinita Indian Territory.  
A.A. Roberts, a white woman,-----Plaintiff  
vs. (Claiming citizenship.  
The Creek Nation,-----Defendant.

Comes the said defendant and says that the petitioner is a white woman and a citizen of the United States claiming the right to be enrolled as a citizen of the defendant Nation by virtue of her inter-marriage with a native Creek Indian and the defendant denies that said plaintiff is entitled to be enrolled as such citizen of the Creek Nation under the laws, usages and customs of the defendant or under the Treaties between the United States and defendant Nation.

2. The defendant demurs to the plaintiffs petition and says that the matters and things in her said petition alleged and set forth are not sufficient to entitle her to be enrolled as a citizen of said defendant Nation.

S. P. Callahan,

Curry McIntosh,

Ben T. DuVal,  
Attorneys for def't.

Burnie McIntosh

says that he believes the matters and things set forth in the foregoing answer to be true.

Burnie McIntosh

Sworn to and subscribed before me this 22<sup>nd</sup> day of Oct 1896

Wm. Rogers

**End**

CR 130

*Daues Commission*  
at *Vieta J.A.*  
To the Honorable National Council of *the Creek* Nation, Indian Territory.

The undersigned hereby presents the above facts as the lawful grounds for this *his* Application for *Creek* Citizenship by blood, and respectfully awaits the time when *his* Application shall be truly heard and tried. Respectfully submitted.  
Age *31* years, Postoffice *Mt Pleasant Ala*

| No. | NAME                | SEX    | AGE | RELATIONSHIP |
|-----|---------------------|--------|-----|--------------|
| 1   | Charles A Sizemore  | male   | 31  | Husband      |
| 2   | Margaret H Sizemore | female | 27  | wife         |
| 3   | William H Sizemore  | male   | 3   | son          |

Subscribed and sworn to before me this 26 day of July 1906

.. J. D. Weatherford, J. P.,

The Postmaster making up Registered Letters, &c., for dispatch, will fill up the other side of this Bill, and write the name of his Post Office, County, and State in the blank address on this side.  
The Postmaster receiving this Bill in Registered Package will at once compare entries with letters, &c., inclosed; make entries on record of registered matter received; stamp postmark below; sign this Bill on other side, noting any errors, and return it to the mailing Post Office without cover.  
A penalty of \$300 is fixed by law for using this card on other than official business.

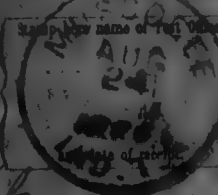
Post Office Department.

OFFICIAL BUSINESS

Post Office at

RETURN TO:

Postmaster at *Int. Pleasant*  
County of *Marion*  
State of *Ala.*





|  |          |  |       |
|--|----------|--|-------|
| REGISTRY BILL.   |          | 8-19                                     | 1896. |
| REGISTERED LETTERS, etc., from <i>Mr. Pleasant</i>   |          |  |       |
| To P. O. at <i>Mustoge</i> I.T., in Reg. Page No. <i>30</i>                                    |          |  |       |
| All Registered Letters or Parcels sent in this Package with this Bill must be described below. |          |  |       |
| REG. NO.   | CLASS    | ADDRESSED TO                             |       |
| <i>30</i>  | <i>1</i> | <i>Chief or Governor of Creek Nation</i> |       |
| SENT BY <i>R. A. Shum</i>  |          | RECEIVED BY                              |       |
| P. M.  |          |  |       |

## Commission to the Five Civilized Tribes,

VINITA, IND. TER., 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and when the registry receipt is returned to you, signed by him, have some disinterested person to make affidavit in form about as follows:

I, *Allie Shum*, do solemnly swear that on the *19* day of *Aug*, 1896, I saw a package registered at the postoffice at *Mustoge*, addressed to *Chief or Governor*, Governor or Chief of the *Creek* Nation, *At Mustoge* Ind. Ter., that registry receipt, No. *30*, hereto attached, is a receipt for said package, which contained true copies of the application of *Chas A. Shum*, and of the affidavits of *Chas Weatherford* and *C. E. King* in support of same. *Allie Shum*

Subscribed and sworn to before me, on this *31* day of *Aug*, 1896.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory.

For the Commission.

REGISTRY RECEIPT.

Post Office at *My Pleasant Ala*  
Registered Letter No. *30* Rec'd. *Aug 19* 189 *6*  
of *Chas. A. Sizemore*  
*one letter*  
addressed to *Chief or Governor of*  
*Creek Nation Muscogee I.T.*  
*W A Shum* P. M.

<sup>138</sup>  
No. 1572

C. A. Sizemore

Creek Nation

Filed 7 Sept 1896  
H. M. Jacobson  
OK

Rejected

Mount Pleasant  
Ala.

1572

To Commission

Henry S. Dawes

Frank C. Armstrong

Archibald B. McKenyon

Thomas B. Cabanis

Alexander B. Montgomery

tion  
1896  
way  
OK

No. 1572



# Affidavit of Witness

State of Alabama (~~Sept 26~~)  
County of Monroe

Before me the undersigned a Justice of Peace in and for the county and State aforesaid personally appeared Charles Heatherford or who after being by me duly sworn states that he is 30 years of age, and a citizen of Monroe County and State of Alabama and that he is personally acquainted with Charles A Sizemore who is an applicant for citizenship in the Creek Nation, I.P. and affiant further states that the said Charles A Sizemore is the identical person he represents himself to be in his application for citizenship in said Nation and that the said Charles A Sizemore is a son of Alexander M Sizemore and the said Alexander M Sizemore is a son of Luritia Monae Sizemore she being the daughter of Elizabeth Heatherford Monia and daughter of Sam Monia. Affiant further states that he has known the said Charles A Sizemore for the past 20 years and knows that he is and has been recognized and treated by his neighbors acquaintances, and the public generally, as a person having Creek, Indian blood and that the complexion, physical appearance, language and manners of the said Charles A Sizemore indicate that the said Charles A Sizemore

is of Indian blood. That from the above facts and circumstances and from statements made to me by the said Charles A Sizemore affiant states he has every reason to believe, and does believe that the said Charles A Sizemore is of Creek Indian blood.

Further Affiant states that he has no interest whatever in the prosecution of the claim of the said Charles A Sizemore to citizenship in the Creek Nation I.P.

Witness, Chas. C. King } Charles A. Heatherford or  
mark

Subscribed and sworn to before me this 26 day of July A.D. 1896. And I further certify that I am well acquainted with the said Charles Heatherford or and know him to be a person of credibility and of truth and veracity.

"J. D. Heatherford" J.P.

My Commission Expires on the 1st day of Sept 1896

FRAME 1



Citizen of Monroe County and State of Alabama and that he is personally acquainted with Charles A Sizemore who is an applicant for citizenship in the Creek Nation, I.P., and affiant further states that the said Charles A Sizemore is the identical person he represents himself to be in his application for citizenship in said Nation and that the said Charles A Sizemore is a son of Alexander M Sizemore and the said Alexander M Sizemore is a son of Luritia Monae Sizemore, she being the daughter of Elizabeth Weatherford Monae and daughter of Sam Monae. Affiant further states that he has known the said Charles A Sizemore for the past 20 years and knows that he is and has been recognized and treated by his neighbors acquaintances, and the public generally, as a person having Creek, Indian blood and that the complexion, physical appearance, language and manners of the said Charles A Sizemore indicate that the said Charles A Sizemore

is of Indian blood. That from the above facts and circumstances and from statements made to me by the said Charles A Sizemore Affiant states he has every reason to believe, and does believe that the said Charles A Sizemore is of Creek Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Charles A Sizemore to citizenship in the Creek Nation, I.P.  
Witness, Chas. E. King } Charles Weatherford or  
mark

Subscribed and sworn to before me this 26 day of July A.D. 1896. And I further certify that I am well acquainted with the said Charles Weatherford or and know him to be a person of credibility and of truth and veracity.

"J. D. Weatherford" J.P.,

My Commission expires on the 1st day of Sept 1896

FRAME 2

**End**

22 131

CHRYSLER CREDIT CORP

1000

CONFIDENTIAL - SECURITY INFORMATION

1. The first step is to identify the problem or question that needs to be addressed. This involves understanding the context and the specific requirements of the task.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1

[illegible]

1. The first step is to identify the problem or goal. This involves understanding the current situation and what needs to be achieved.

THE

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THE CITY OF NEW YORK  
DO NOT CONSIDER THE  
OFFICIALS OF THE  
CITY OF NEW YORK

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

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THE UNIVERSITY OF CHICAGO

[illegible][illegible]



Before the Dawes Commission, Vinita Indian Territory.

~~John~~ Thomas M. Simmons, a white man,----- Plaintiff.

VS. ( Petition to be enrolled.

The Creek Nation,----- Defendant.

1. Comes the said defendant and says that the plaintiff in this case is a white man and a citizen of the United States and claims the right to be enrolled as a citizen of the Creek Nation because of the inter-marriage with a Creek woman, a native citizen thereof. The said defendant avers and says that the said plaintiff is not entitled to be enrolled because said plaintiff did not by such marriage become a citizen of the Creek Nation under the laws, customs and usages of said Nation and of the Treaties between defendant and the United States.

2. The defendant further says that the plaintiff does not state facts in his said petition and affidavits thereto attached sufficient to entitle him to be enrolled as a citizen of the said defendant Nation.

3. The said plaintiff has not filed with his said petition evidence of his said inter-marriage.

S. P. Callahan,

Bunny McIntosh,

Ben T. DuVal,  
Attorneys for def't.

*Benny McIntosh*

says that he believes the matters and things set forth in the foregoing answer to be true.

*Benny McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896

*John P. Hager*



719

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FILED SEPT. 9 1900. ☆  
A. S. McKENNON  
COM 'R'

Wecotah 9, 7, Sept 7<sup>th</sup>/26

Received this day of Thomas M. Simmons, per Nelson & Lieber his attorney, copy of application and evidence in case # 718 of Thomas M. Simmons for citizenship in the Beech Nation.

Robt M. Lusk  
clerk Beech Nation

By  
J. McCallahan  
Privt Secy

# No 719  
Case of  
Thomas M. Simmons.  
for citizenship in the  
Creek Nation.

---

Filed Sept 8-1894  
A. S. McKinnon  
Clerk

Rejected

Filed by  
Nelsons Lieber,  
Muscoget.  
J. T.

To Honorable Dances Commission

The application of Thos M. Simmons  
for citizenship in the Creek Nation.  
Respectfully shows:

That he is a  
white man and United States  
citizen who intermarried ~~the~~  
Easter Collins a Creek citizen  
by blood, and resided with her  
a number of years as his wife.

He states further that when  
he married the said Easter Collins  
he was possessed of property and  
money of the value of about  
(\$2,500) Twenty five hundred  
dollars.

That he invested all his means  
in making improvements in  
the Creek Nation for the use of  
his said wife and himself.

That his wife proved false to her  
marriage vows, and this applicant  
brought suit for divorce against  
her and for a division of the  
property. That the United States  
Court in the Indian Territory for  
the Northern District sitting at  
Muskogee, rendered a decree on

at the Fall (1895) Term of Court granting this applicant a divorce from his wife formerly Ester Collins, and awarding him as a part of his Estate one farm or improvement of about 160 acres in the Creek Nation on Bull Creek, near the K.P.V. Ry, and which as found by the Master in Chancery and confirmed by the Court was made with the means of this applicant, as well as the improvement which the Court awarded her.

He refers to the papers and records in the cause of John McSwinnon vs Ester Swinnon, and if said record is denied as herein stated by the Creek Nation, he ~~will~~ invites the inspection of the same by this Hon Commission and will present the same if necessary.

He states further that it will be many years before he will be able to regain from said farm the outlays made by him in making the improvements herein referred to.

He relies upon the fact that



by marriage he became an  
adopted citizen of the Creek  
Nation and cannot be decitizenized  
by the misconduct of his wife, as  
well as upon the fact that the  
decree of the United States Court  
giving him the right to enjoy <sup>his</sup> civil  
privileges, is a law of the  
United States which can only  
be fully enforced by enrolling  
him as a citizen.

Wherefore he prays that he  
may be enrolled as a citizen

Thos M Simmons  
by Nelson & Fisher attys.

Geo S Nelson states on oath that  
he was the atty for Thos M Simmons  
in the divorce suit referred to in the  
aforesaid application, and that  
from his own knowledge and information  
obtained under oath from witnesses,  
the facts stated in this application  
are true, and that Thos M Simmons  
is temporarily absent in Coffeyville Mo.

Geo S Nelson

Subscribed and sworn to before me this 3<sup>rd</sup> day of  
September 1886 John L. Baker Notary Public.

**End**

CR 132

to the Honorable Dawes Commission sitting at Vinita,  
Indian Territory, as a Court of Indian Citizenship of  
the five civilized tribes and to enroll the members thereof.

Application of George Shannon, of Gibson, Indian Ter-  
ritory, to be enrolled as a member of the Creek tribe or nation  
of Indians.

The petition of the said George Shannon respectfully  
shows: That he is a white man, and citizen of the United States,  
and also of the Creek Nation by marriage. He shows further that  
in the year 1878 he intermarried with Mary B. Hillison a Creek  
Indian by blood, in accordance with the laws of said Creek Nation.  
That she was recognized and enrolled as a citizen of said Nation  
at the time of said marriage and was up to date of her death in  
1888. That there were born as the issue of said marriage five  
children, all of whom are still living and recognized and enroll-  
ed as citizens of said Nation. That four of said children are  
still residing with him three of whom are still under age.

That at the time of his marriage aforesaid, under the  
laws and usages of the Creek Nation, he and others similarly  
situated were regarded as citizens of the Creek Nation without  
any distinction or discrimination as to private and property  
rights.

That he has largely invested his savings in clearing  
up the wild and unbroken timber lands which have not yet nearly  
yielded enough to repay him for the outlay in clearing up and  
improving. That he has built him a nice house, and surround-  
ings where he now resides and has been residing for fifteen years,  
at Gibson Station, Indian Territory, at the cost of several thou-  
sand dollars.

He has been recognized in many ways as a Creek Citizen;  
He has been allowed to trade and do business without license for

*Not of Good Character*  
*Not of Good Character*

all these years as he is today. He has been from time to time summoned to appear in their courts to answer in civil matters. He has been allowed to secure permits for non-citizens of Creek by blood could do. He has been allowed to hold a mile square improvement for many years as the head of a family under the three mile Railroad law.

He states further that while he is of the town of Jonata roll he has never been on the pay rolls of the Creek Nation. And he states further that under the treaties of 1856 and 1866 with the United States, and the Constitution and laws of the United States, and the laws and usages of said tribe as regularly construed he should be regularly enrolled as a full citizen of said Nation to the end that he may be protected in his property rights required and built up under express and implied contract upon the part of the Creek Nation and may share in the ultimate division of the lands and moneys of the said Nation towards the accomplishment of which the Government of the United States is now extending its good offices and directing its energies.

He states further that his deceased wife was a member of a well known Creek family whose citizenship has never been disputed and who are all regularly enrolled as a members of the tribe.

Whereupon he prays that he may be enrolled as a Creek citizen by the Honorable Commission.

*Geo. Shannon*

Subscribed and sworn to before me this 13 day of August, 1886.

*Almon R. Simmons*  
Notary Public

*My Commission expires March 31st 1891*



Application & evidence in  
lease of  
George Shannon  
for citizenship in the  
Creek Nation

Filed by  
Nelson Lieber  
Attys at Law.

Filed Sept 3-1916  
A.S. McKelvey

I certify that I received  
a copy of the within ap-  
plication and affidavit  
this 14<sup>th</sup> day of Aug. 1896

Sparrdecker  
Bun Chief M.N

W. H. H. H.

*Affidavit in support of Geo Shannon's  
application for Creek Citizenship before  
the Deveres Commission.*

In the matter of the application of George Shannon for  
Creek citizenship.

My name is James Hawkins. I am fifty-two years  
old. I have been on the Creek rolls as a citizen for twenty-  
nine years. I was a slave and owned by Mrs. Lettie Willison who  
was a Creek Indian and the mother Mary B. Willison who married  
George Shannon of Gibson Station. I remember the time they were  
married in 1871, and <sup>know</sup> they lived together as man and wife and  
as Creek citizens until her death about eight or ten years ago.

Witness

*Almon A. Finney*

*James L. Hawkins*

Sworn and subscribed to before me this 13 day of August 1899.

*Almon A. Finney*  
Notary Public.

*My commission expires March 31st 1899*

RECEIVED OCT 27 1960

2. The only business we are not doing with you

10-11-68

the fact that the majority of the population are still illiterate, the Government has decided to start a mass literacy campaign.

100

•

W. H. L. & Co. 100 N. 1st St. N. Y. C.

WILLIAM H. HARRIS, a citizen of the United States, was born at New York, New York, on January 1, 1881, and is now residing at New York, New York.

1871

1. The first part of the document is a list of names and dates, which appears to be a record of some kind. The names are written in a cursive script, and the dates are in a more formal, printed style. The list is organized into two columns, with names on the left and dates on the right.

THE UNIVERSITY OF CHICAGO

5. 1944-1945 to be allotted to be of the same kind

**THE**

1. Quasi-Newton algorithms are not available for the

**THE UNIVERSITY OF CHICAGO**

THE UNIVERSITY OF CHICAGO

[illegible][illegible]

before the Daves Commission, Vinita, Indian Territory.  
George Shannon, a White man,----- Plaintiff.  
VS. ( Petition to be enrolled.  
Creek Nation,----- Defendant.

1. Comes the said defendant and says that the plaintiff in this case is a white man and a citizen of the United States and claims the right to be enrolled as a citizen of the Creek Nation because of the inter-marriage with a Creek woman, a native citizen thereof. The said defendant avers and says that the said plaintiff is not entitled to enrollment because the said plaintiff did not by such marriage become a citizen of the Creek Nation under the laws, customs and usages of said Nation and of the treaties between defendant and the United States.

2. The defendant further says that the plaintiff does not state facts in his petition and affidavits thereto attached sufficient to entitle him to be enrolled as a citizen of the said defendant Nation.

3. The said plaintiff has not filed with his said petition evidence of his said inter-marriage.

A. W. Callahan,

Bunny McIntosh,

Ben T. Duval,  
Attorneys for Def't.

*Bennie McIntosh*  
says that he believes the matters and things set forth in the foregoing answer to be true.

*Bennie McIntosh*  
sworn to and subscribed before me this 22<sup>nd</sup> day of October, 1886

*Lucy M. Rogers*



2  
1

George Don. James C. Hickey.

Brink & Thomas of Mount Creek Citizens ----- By  
marriage and treaty.

Pages 715 to 743 et. 1.

Represented by Geo. W. Nelson, Attorney.

-----  
Whites marrying Greeks.

They are Greek citizens. Art. 15 of the treaty of 1850,  
(still in force) gives the Greeks full jurisdiction over persons  
and property within their limits, except certain classes of per-  
sons named. Intermarried Whites are not included in the excep-  
tions. This is clear as they can be fairly placed as members of  
the tribe "by adoption or otherwise."

Let us see.

It is obvious that some white persons were deemed capable of  
becoming members by adoption or otherwise.

To what are we referring? We can only conceive of two  
classes of Whites who could be adopted as members: Such as might  
be adopted by a tribal council and by marriage. "Otherwise" is  
surely broad enough to cover them. It is proper to construe  
this treaty in the light of international law. With this light  
before us it is not possible to avoid the conclusion here is.

But why the exceptions made in all these treaties as the  
Whites, say for example, could have assumed jurisdiction of such  
as were found in their limits under the general rule of law, but  
this idea was abhorrent. The United States were not treating as  
with equals. So out of abundant *caution* exceptions were  
placed in all the treaties as a protection <sup>to</sup> such persons as had  
not voluntarily allied themselves to the tribes as members.



Army soldiers, 100-150, were there and others were in mind. As all ~~of~~<sup>our</sup> ~~the~~ ~~army~~ ~~soldiers~~ ~~were~~ ~~there~~ ~~and~~ ~~others~~ ~~were~~ ~~in~~ ~~mind~~, ~~it~~ ~~was~~ ~~not~~ ~~necessary~~ ~~to~~ ~~send~~ ~~a~~ ~~large~~ ~~number~~ ~~of~~ ~~soldiers~~ ~~to~~ ~~protect~~ ~~the~~ ~~area~~ ~~and~~ ~~to~~ ~~prevent~~ ~~any~~ ~~other~~ ~~people~~ ~~from~~ ~~entering~~ ~~the~~ ~~area~~.

Charles W. ...  
... ..  
... ..

[illegible]

People vs. John J. ... 377. 95 and 463.

Chromolaena sp. only exist

[illegible]

55

... ..

... (b) (5) ... for the ad-  
mission ... of the following classes,  
namely:

1-Persons of British descent born in the country under the British flag, upon the signing of the treaty.

II-Such as ~~is~~ <sup>is</sup> mentioned in the treaty, but being recent ~~and~~ <sup>and</sup> returning to the nation the treaty.

III-And the Government of France and the...

IV-And are there persons of African descent as might be permitted by the laws of a nation to a title therein as citizens thereof.

As to Class B it was clearly the intention to place the descendants upon an absolute equality with the descendants of Indians by blood. This excellent intention is important in some cases in this regard: that while there is a limitation (the period of 1 year) in which the ancestors must return to become beneficiaries, there is no limitation upon the descendants in this

No 715-6743

Bruf. Adolphus  
Citizen of Creek  
Nation -

7 Oct. 19, 1896.

H. M. Jaraway  
Scriber

Bruf

Sept 8 1906  
Wm Jones

3.

of which are returned to the  
second secretary of the  
and will allow that as about 10  
the present his or her to  
the residence at the other end of  
the road, it will be seen.

\* The Black Market was related to quality  
of articles received.  
Others were put direct into class 1 & 2.  
It was <sup>a</sup> license  
to go to all licensed carriers or otherwise,  
except through former trustees had only spoken  
at one time. Jan. 1970.

of the city as high as the tops of the hills of the

It is therefore could only be legitimized by  
 actions, or such action, as would confer citi-  
 zenship constructive and such there will not be  
 in establishing upon this class of cases, because  
 precedent will be established there as to determine.

...of thirty years since the treaty was made, and  
...a law which would deliver a Greek by blood  
...neither was a recognized citizen, not more  
...and so.

respectfully submitted,

George W. Nelson.

POOR ORIGINAL -  
BEST AVAILABLE COPY

**End**

CR 133



Creek 1896 \*133

Indo Ter 3  
N. Dist 3

To the Hon Henry L. Hawes  
Hon J. C. Armstrong Hon Archibald  
McKinnon Hon Thos B. Cabaniss  
Hon Alex D. Montgomery United  
States Commissioners authorized  
by act of Congress of June 4th  
1896 to hear and determine claims  
for citizenship in the Creek & r  
Muscogee Nation

The petition of John Sharper  
respectfully shows to the Hon &  
Commissioners that he was born the  
slave of Rebecca Hawkins who was  
a full blood Creek Indian who  
at the time of petitioners birth  
resided in the Creek or Muscogee  
Nation in Coweta Dist. That when  
petitioner was a small boy his  
mistress Mrs Rebecca Hawkins  
left the Creek Nation and went to  
reside in Eastern Texas, and she took  
petitioner with her. That in 1863 the  
petitioner was set free, and in the  
year 1866 petitioner left the State of  
Texas and returned to the Creek or  
Muscogee Nation and made his  
home in Coweta Town, where he  
has ever since resided. He was  
duly enrolled as a tribal Citizen  
of the Creek Nation in the fall of  
1866, by virtue of the Treaty of 1866,  
and was fully recognized as a

Creek 1896 #133



Citizen of the Creek or Muscogee Nation from the time of his original enrollment as aforesaid, and enjoyed all tribal rights privileges and immunities up to 1895 when he was stricken from the roll without any notice by Committee of the National Council of the Creek or Muscogee Nation, which he avers to be unjust and unlawful and in direct contravention of the 2nd article of the Treaty of 1866. Petitioner drew his per capita portion of all payments made by the United States Government and the Creek Nation up to the time when he was unlawfully stricken from the Roll of Citizenship in 1895.

Petitioner states that he has five children Agnes aged 30 years Sallie aged 25 years. Elvora aged 19 years. Rose aged 8 years, Ben aged 6 years, all of whom were born in Coweta District in the Creek or Muscogee Nation. That the petitioner has six grand children Mary Ann <sup>13 years old</sup> daughter of petitioner's daughter Agnes & Charley Thompson aged 6 years Bertha Thompson 4 years old James Thompson 18 months old the 3 last the children of petitioner's

2000

— L'aveu, et d'au

Quail 1896 #153



daughter Sallie, Sarah Peters  
2 years old, Ellis Lamphons, aged  
6 months, the two lost the children  
of petitioners daughter Rose  
Petitioner prays that he and  
his children and grand children  
be readmitted and re-enrolled as  
tribal citizens of the Creek or  
Muscogee Nation with all rights  
privileges and immunities as  
such guaranteed to them.

And as we duty bound petitioners  
will ever pray

John T. Sharper  
Attest J. P. Turner,  
att'y.

Known to and subscribed before  
me on this the 7th day of Sept. 1896.

Pearl Eddleman.

Notary Public

No 133  
Creek  
John Harper  
vs  
Creek Nation

6649 / 111  
John Harper  
v.  
Wagoner Nation

FILED SEPT. 9 18  
A. S. T. W. ONE  
COM'R

John Harper  
Wagoner, D. J.



Before the Dawes Commission, Vinita, Indian Territory.

John Sharper,-----Plaintiff.

VS. ( Answer.

The Creek Nation,----- Defendant.

The defendant says: That the names of the said plaintiff was lawfully stricken from the rolls of citizenship by the legally constituted authorities of this Nation, because it was discovered that he had been fraudulently enrolled, not having returned to this Nation within the time prescribed by the 2nd. Article of the Treaty of 1866, and the National Council passed an act approved May \_\_\_\_\_ 1895 creating a citizenship commission, a court with jurisdiction to hear and determine all cases where parties had been stricken off the rolls of citizens and the plaintiff had notice of said law and the powers of said commission and did not apply to it for relief.

Wherefore the defendant says the plaintiff is not entitled to citizenship in this Nation or any of the privileges thereof.

S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bunny McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 1896.

*James M. Rogers*  
*Notary Public*

*Dec 4th 1896-1897*



Ind. Ter.

N. Dist.

Personally appeared this day before me, Pearl Edleman, a Notary Public, Joseph P. Davidson, who being duly sworn states on oath that he has heard read the application for enrollment by John Sharper, and I fully understand all therein stated, and within my personal knowledge, all the statements therein contained, bringing John Sharper within the provisions of the treaty of 1866, entitling him to tribal citizenship, are true in substance and in fact and detail. And I have heard the affidavit of Sam'l Barnett in this behalf read, and I fully understand the same, and I adopt it here as my own affidavit, and solemnly swear to the truth of the statements therein contained. I am no kin to John Sharper and have no interest in his claim.

J. P. Davidson,

Attest: G.P.W. Turner.

Sworn to and subscribed before me Sept. 7th, 1896.

Pearl Edleman,

Notary Public.

J. P. Davidson,



WE WILL PRACTICE OUR PROFESSION

In all the Federal Courts of the Indian Territory, and in the United States Court of Appeals, at St. Louis, and in the United States Supreme Court at Washington.

Prompt attention given to Collections, in all parts of the Indian Territory. Branch office at Wagoner, where correspondence is solicited.

IMPORTANT CRIMINAL CASES A SPECIALTY.

Leases, Contracts, Mortgages, and the adjustment of Accounts. Come and see us.

G. P. M. TURNER

GEO. M. CHAPMAN

TURNER & CHAPMAN,

ATTORNEYS AT LAW.

Office Opposite Court House.

Muskogee, Ind.

Sept 4th 1896

To Mr.

Mr. J. H. Turner (and others)  
V. J. H. Turner

Herewith find a copy of a  
Hypocrite, and proceed in the  
case of John Harper for enrollment  
in the Creek or Muskogee Nation  
Please let me know if you except  
Very truly

G. P. M. Turner  
Attorney for Petitioner  
P.

REGISTRY RECEIPT.

Post Office at \_\_\_\_\_

Registered Letter  
Parcel

No. 188

Rec'd.

9/8

1896

of

J. P. M. Turner

addressed to

Chas. Riley McIntosh  
St. Paul, Minn.

P. M.

Sept 1896

I personally appeared  
this day before me Pearl Edgellman  
a Notary Public & deposed that  
I saw the day registered  
at the P. L. House of J. J.  
a package containing the  
original petition and appli-  
cation of John Sharpe for  
the same as a vital bit  
of House of J. J. and  
the party of J. J. and  
attested by J. J. and  
J. J. Davidson supporting  
and after registration  
of the same J. J. and  
attested. Affiant is an un-  
interested party, having no  
interest in said claim  
from his subscription

Before me this 8th Sept & Annu-  
day of Sept 1896.

Pearl Edgellman  
Notary Public





21. 10. 1914

[illegible]



[illegible]

**End**

CR 134

I, W. L. Steele, do solemnly swear that on the 14 day  
of Sept., 1896, I saw a package registered at the postoffice at  
Yukon, addressed to Hon. Riley McIntosh  
Governor or Chief of the Creek Nation, Oklahoma  
Ind. Ter., that registry receipt, No. 716, received from postmaster hereto attached,  
is a receipt for said package, which contained true copies of the application of  
Robert E. Summerville and of the affidavits of Robert E. Summerville et al  
and in support of same.

W. L. Steele  
Subscribed and sworn to before me, on this 14 day of Sept, 1896.  
A. S. McKeen Clerk

| REGISTRY RECEIPT.           |  |       |                  |
|-----------------------------|--|-------|------------------|
| Post Office at              | <u>YUKON, IND. TER.</u>  |       |                  |
| Registered Letter<br>Parcel | No. <u>716</u>   | Rec'd | <u>9/14 1896</u> |
| of                          | <u>M. L. Steele</u>  |       |                  |
| addressed to                | <u>Hon Riley McIntosh</u><br><u>Oklahoma I. T.</u><br><u>St. Francis</u> |       |                  |

regularly arrived as a Creek In-  
dian and a citizen of the Creek  
Nation in the Indian Territory  
I was something over 10 years old  
when my father died  
Elijah A. Spencer  
subscribed and sworn before me  
on the 1st day of September, 1896  
Thomas M. Duncan Clerk  
of the Bureau  
Deputy Clerk

Elijah A. Spencer

Officiant



State of Arkansas,  
County of Scott,

Eliza J. Sessions of Bolivar, Scott County, Arkansas, being sworn according to law, states and declares in relation to and in support of her application for citizenship and enrollment as a Creek Indian of the <sup>Creek</sup> Nation Indian Territory, as follows: I am 52 years old. I live near Bolivar, Scott County, Arkansas. I am the daughter of James Augustus Sessions whom I have always been informed <sup>and</sup> believed was a citizen of the Creek Nation, in the Indian Territory <sup>and</sup> during his life time claimed the Creek Indians as his people. He talked well in the Creek language and acted as interpreter of that language for merchant at Sallisaw, <sup>Ark.</sup> and also at Fort Smith, Arkansas. The said James Augustus Sessions was the father of five children that are now living, to wit: Robert C. Sessions, John T. Sessions, Sarah Ann Hollis, and this affiant all of whom reside in Scott County, Arkansas <sup>and</sup> Patience P. Blackwell who resides near Whitefield, in the Indian Territory. That this affiant has six children.

My father at one time that I re-  
member drew money and cloth-  
ing and dry goods &c. from the  
Government of the United States as  
one of the Creek Indians and at  
a time when the other Creek In-  
dians drew their money from the  
government, and I have every  
reason to believe that he was  
regularly enrolled as a Creek In-  
dian and a citizen of the Creek  
Nation in the Indian Territory,  
I was something over 13 years old  
when my father died.

*Eliza J. Annis*  
Subscribed and sworn before me  
on this 1<sup>st</sup> day of September, 1896  
*Thomas M. Duncan Clerk*  
*By A. K. Duncan*  
*Deputy Clerk*

Eliza J. Andrews

Richardson

---

*Affidavit of  
Robert C. Stevens*

---



State of Arkansas } Affidavit  
County of Scott }

In matter of the application  
of Robert E. Sessions for admission  
and enrollment as a citizen of the  
Creek Tribe of Indians in the Indian-  
Territory the said Robert E. Sessions  
after being first duly sworn states  
and declares in relation to the a-  
foresaid application as follows:  
My name is Robert E. Sessions. I am  
46 years old. I live near Waldron,  
in Scott County, Arkansas. I am  
a son of James Augustus Sessions who  
was born in Tallapoosa County, Alabama  
and who was a Creek Indian by blood  
and came to the Indian Territory from  
the State of Georgia about the time of the  
removal of the Indians to the Indian  
Territory. The said James Augustus  
Sessions claimed to have a right  
and citizenship in the Creek Nation  
and he talked a language which he and  
others said was the language of the Creek  
Indians, and was acting as an in-  
terpreter for Bennett & Walton a mer-  
chandise firm at the City of Fort Smith,  
Arkansas, at the time of his death  
and his business at that time was  
to interpret the Indian language. He  
died in the winter of about the year  
1860. I was about 10 years old at the

time of his death. I know these facts from my acquaintance with my father, James Augustus Sessions, and with the circumstances and manner of my father's living and from conversation with him and my mother and my sisters older than my self.

My father had three daughters who are now living, to wit: Eliza J. Sessions (now Eliza J. Ainsworth) Patience P. Sessions (now Patience P. Blackwell), and Sarah Ann Sessions (now Sarah Ann Hollis) and one son besides my self, to wit, John G. Sessions.

Robert E. Sessions

State of Arkansas }  
County of Scott } I, Robert E. Sessions  
do solemnly swear that I have heard  
the above affidavit or statement read  
and understand its contents and that  
the statements therein set out are true  
to the best of my knowledge, recollection and belief.

Robert E. Sessions

Subscribed and sworn to before me  
on this 31<sup>st</sup> day of August, 1896

Thomas M. Duncan

Clerk Circuit Court

By H. Duncan

Deputy Clerk.



Eliza J. Thomas  
application for  
Creek Citizenship

Application for Citizenship  
To the Hon. Senate Commission:

Now comes your petitioner Eliza J. Thomas and makes this her application to be admitted and enrolled as a citizen, or member of the Creek Nation or Tribe of Indians, in the Indian Territory; and in support of said application respectfully alleges and states as follows:  
Your applicant is a Creek Indian by blood. That she is the daughter of James Augustus Sessions who was a member of the Creek Tribe of Indians and an Indian by blood, recognized and enrolled as a member of the Creek Tribe of Indians according to my best knowledge, information and belief that I have the following children of the names and ages stated herein, for whom as parent I also make application to be admitted and enrolled as members and citizens of the Creek Tribe or Nation of Indians in the Indian Territory, that they are Creek Indians by blood by reason of being the sons and daughters of this applicant, who is a Creek Indian by blood as herein set forth, to wit:

|                      |      |          |
|----------------------|------|----------|
| Permelia A. M. Croy  | aged | 34 years |
| Lucy A. Croy         | aged | 26 years |
| Union J. Williams    | aged | 23 years |
| Francis Draper       | aged | 21 years |
| Sadie Ode Hall Grand | " "  | 5 months |

Elizafane Avenius - daughter aged 16 years  
Rachel Avenius 14 years

My age is 5 years, my post office  
address is, Roles, Scott County, Ark-  
ansas. Wherefore your applicant prays  
that, she and her said child be ad-  
mitted and enrolled as members or  
citizens of the Creek Tribe or Nation  
of Indians, in the Indian Territory  
Eliza F. Avenius

State of Arkansas }  
County of Scott } Affidavit

This affiant after being first duly  
sworn, according to him on oath  
says: My name is Eliza F. Avenius and  
I am the identical person named in  
the above and foregoing application  
and that I have had read and explain-  
ed to me the above and foregoing ap-  
plication and understand the facts  
therein stated. That the facts therein stated  
are true, to the best of my recollection,  
information knowledge and belief.  
So help me God.

Eliza F. Avenius  
Subscribed and sworn to before me on  
this 1 day of Sept 1876  
Thomas W. Avenius Clerk  
By H. Avenius

Dec 27 - Day of Council at A.C. 1896  
I hereby certify that applicant is to me  
personally well known and that  
he is a credible person.

Thomas M. Duncan  
Lieut. Lewis Lewis  
West County Arkansas  
Capt Duncan  
Deputy Clerk

For proof in support of this application  
and identity of the applicant the com-  
missioner is respectfully referred to  
the evidence in support of the claims of Rob-  
ert Duncan and others

Application  
of  
Wm Ambrose Blackwell  
for  
Citizenship  
Creek Nation



Application for Citizenship  
to the Hon. Dabbs Commission -

Now comes your petitioner William  
Ambrose Blackwell and makes  
this his application to be admitted and  
enrolled as a citizen, or member of  
the Creek Nation or Tribe of Indians  
in the Indian Territory, and in  
support of said application respectfully  
alleges and states as follows  
Your applicant is a Creek Indian  
by blood. That he is the son of Pa-  
tience P. Blackwell whose maid-  
en name was Patience P. Sessions and  
who was the daughter of James Augus-  
tus Sessions who was a member  
of the Creek Tribe of Indians according  
my information and belief.

My age is 25 years, and my post office  
address is Waldron, Scott County, Ar-  
kansas. Wherefore your applicant  
prays that he be admitted and en-  
rolled as a member or citizen of the  
Creek tribe or Nation of Indians in  
the Indian Territory.

William Ambrose Blackwell  
State of Arkansas, }  
County of Scott } Affirmed

This affiant, after being first duly  
sworn, according to law and oath, says,  
My name is William Ambrose Black-  
well a.k.a. I am the identical per-



son named in the above and foregoing application and that I have had read and explained to me the above and foregoing application and understand the facts therein stated that the facts therein stated are true to the best of my knowledge, information and belief. So help me God. William Ambrose Blackwell

Subscribed and sworn to before me this 31<sup>st</sup> day of August A.D. 1896, and I hereby certify that affiant is to me personally well known and that he is a credible person.

Thomas M. Duncan  
Clerk Circuit Court  
Scott County, Arkansas  
By S. K. Duncan  
Deputy Clerk

For proof in support of this application and identity of this applicant the commission is respectfully referred to the evidence in support of the claims of Robert C. Sessions and others

Application

of

William Ambrose Blackwell

for

citizenship  
Creek Nation

No 569

Robert E. Sessions

and others

vs.

Creek Nation

Filed Sept 10. 1896

A. S. McKeown  
Coun

Rejected

Bales, Att'y,

Application for Citizenship.  
To the Hon. James Commission.

Now comes your petitioner Robert C. Sessions and makes application to be admitted and enrolled as a citizen, or member of the Creek Nation or Tribe of Indians, in the Indian Territory; and in support of said application respectfully alleges and states as follows; your applicant is a Creek Indian, by blood. that he is the son of James Augustus Sessions who was a member of the Creek Tribe of Indians and a Creek Indian by blood, recognized and enrolled as a member of the Creek Tribe of Indians. That I have the following children of the names and ages stated herein, for whom as parent and natural guardian I also make application to be admitted and enrolled as members and citizens of the Creek Tribe of Indians in the Indian Territory. That they are Creek Indians by blood by reason of being the sons and daughters of this applicant who is a Creek Indian by blood as herein set forth. Said children live with me, and all of the names and ages following

|                                       |      |    |       |
|---------------------------------------|------|----|-------|
| James Wiley Sessions - Son -          | aged | 25 | years |
| Harriett Martha Sessions - Daughter - | aged | 17 | "     |



Robert E. Sessions - Son. aged 14 years

Fred Sessions Son aged 9 "

Thomas Sessions Son aged 7 "

And also make application to have the following persons admitted as aforesaid who are also my children, but are not living with me, to wit:

John Ambrose Sessions Son. aged 27 years

Annantia Bell Lackey Daughter " 23

Mary Francis Kendel " " 21 "

My age is 46 years, and my post office address is Waldron, Scott County, Arkansas.

Wherefore, your applicant prays that, he, and his said minor and adult children be admitted and enrolled as members or citizens of the Creek Tribe or Nation of Indians in the Indian Territory.

Robert E. Sessions

Affidavit

State of Arkansas,  
County of Scott }

This affiant, after being first duly sworn, according to law on his oath, says, My name is Robert E. Sessions and I am the identical person named in the above and foregoing application and that I have read or had read and explained to me the above and foregoing application and understand the facts therein

stated that the facts therein stated are true to the best of my knowledge, information and belief.

Robert E. Sessions  
Subscribed and sworn to before me  
this 31<sup>st</sup> day of August, 1896, and I  
hereby certify that I am personally  
well ~~known~~ acquainted with the a-  
bove named applicant Robert E.  
Sessions, and that he is a credible  
person and that his statements are  
entitled to full faith and credit.

Thomas M. Duncan  
Clerk of the Circuit Court  
Scott County, Arkansas  
By A. H. Duncan, D. C.

Robert E. Sessions

Applicant



On the 21st of August 1891, the Commission on the subject of the  
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Before the Deves Commission, Vinita, Indian Territory.

No. 1. Robert E. Sessions,--8 persons,  
and seven children.

No. 2. Eliza J. Adams,----9 persons,  
and eight children.

No. 3. William Ambrose,  
Blackwell,-----1 person.

VS. ( Answer.

The Creek Nation,-----Defendant.

The defendant says all of the above named parties claim to derive their Indian blood from James Augustus Garland and it appears from the facts set forth in their said petitions that James Augustus Garland lived and died in Fort Smith, and State of Arkansas; that all of the applicants were born and raised in the State of Arkansas and are now citizens and residents of the Scott County in said State and have never resided within the jurisdictional limits of this Nation nor have heretofore made application for citizenship.

2 The applicants do not support their claim with the affidavit of any Native citizen of this Nation as to their Indian blood and do not show by their own statement the degree of Indian blood they claim. They present no testimony except their own and this defendant insists that the facts stated do not show them to be entitled to citizenship and their said applications must be dismissed.

S. B. Callahan,  
Samuel McIntosh,  
Attorneys for defendant.

*James M. McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*James M. McIntosh*

Sworn to and subscribed before me this 22<sup>nd</sup> day of July 1896  
at Vinita, Indian Territory.  
*Paul H. Rogers*

**End**

CR 135

No 135-

W. H. Davis

vs

Creek Nation

appeal order of  
U. S. Court



#44

## NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

ss.

In the United States Court for said District.

In the matter of the application of W. J. Seaver to be  
enrolled as citizens of the Muskogee Nation.

TO THE Commission to the Five Civilized Tribes

You are hereby notified that an appeal has been taken in the matter of the application of  
W. J. Seaver

to be enrolled as citizens of the Muskogee Nation, from said  
Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested  
by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a  
transcript of all the entries made in the docket of your tribunal relating to the case, together with the  
depositions and testimony taken before said tribunal; the decision thereof on the application, and all original  
papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 15<sup>th</sup> day of  
Dec A.D. 1896.

Jaworsky Clerk.

No. 1502

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

W. T. Seaver & Co.

VS.

Creek,

Nation.

Received and filed this

day of

189

Secretary.

SEAVIOR JOB PRINT PORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of  
*W. Beaver* vs. *Chick* Nation, as follows:

1. Copy of Judgment
- ~~2. Nation's Answer~~
2. Nation's admission  
of Citizenship of  
Chief Justice.
3. Answer & Denial.
- f. Case of Beaver.

WITNESS my hand and official seal at *Muscogee*  
this the *21* day of *Jan.* 189*7*  
*J. M. Jacoway, Jr.*  
*Secy.*

**End**

CR 136



# Application for Citizenships

Indian Descendant  
At the Court } set in me the undersigned  
a certain Person has by himself appeared  
Martha Stanton applicant for citizenship in the  
Creek Nation, who states as follows.

Her name is Martha Stanton. Her birth is  
in God's gift, Indian in. I must give  
I am the oldest daughter of James  
Mans Edwards nee Hayward, I derive my  
Indian blood through my mother who is a  
Creek Indian by blood. My mother was recognized  
as a Creek Indian and drew money from different  
payments. I am a niece of Berry Hill who  
lives near Okmulgee and is a recognized  
Creek Indian and duly recorded. I married  
John Walker of Leigh Co. in 1889 and was divorced  
from him. I afterwards married Thomas O'Brien  
who died and in June 1895 I married Antonio  
Stanton. I have two children.

William Walter Walker, 7 yrs old.

Albert Victor O'Brien 3 yrs old.

~~Witness my hand this 2nd day of August 1896.~~

I was born in the Cherokee Nation near Beaverville  
and have lived in the territory ever since.

Witness my hand this 3rd day August 1896.

Fannie Reed

Victor Reed

Martha Stanton  
mark

Sum to <sup>3</sup> subscribers from me this 15<sup>th</sup> day of August  
1896.

J. F. Young M.D.

My Comm expires 1<sup>st</sup> March 1896

## Affidavit of Witness

In matter of Petition & Memorial of Martha  
Santonis for admission to citizenship in the  
Creek Nation

Indian Name }  
Cotton & Atoka }

Before me the undersigned a  
Notary Public in & for the County of Hot. & I certify  
that the person appearing Ransom Gowins  
who after being duly sworn says:

My name is Ransom Gowins I am 79 years  
old and a citizen by blood & a resident of the  
Creek Nation. My Nat. Office address is  
Box 150, Indian Territory. I am personally acquainted  
with Martha Santonis the oben named applicant.  
I have known her 12 years. She is a daughter of Mary  
Hagwood nee Edwards nee Hogwood and a  
Creek Indian by blood. She was born in the  
Creek Nation. She is recognized as a Creek  
Indian and has all the appearance of said Indians.  
Furthermore she is a niece of Berry Mite who lives  
near Okmulgee and a recognized citizen.  
She has ten living children.

Witness my hand this 20<sup>th</sup> day August 1896.

Witness

Ransom Gowins  
mk

Fannie Reed

J A Boggy

Sum to and subscribe for me this 20<sup>th</sup> day of  
August 1846

H. J. Goring

Comm expri 2<sup>nd</sup> mo 1849



Offidavit of Witness

In matter of Petition <sup>of</sup> Martha Satoris for admission to citizenship in the Creek Nation.

Indian Terr }  
Atoka County }

Before me the undersigned a Notary Public of the County and State of said this day personally appeared Susan Gouvier who after being duly sworn says

My name is Susan Gouvier. I am 32 years old and a citizen by blood and a resident of the Cherokee Nation. My Post Office address is Coalport, Indian Terr.

I am personally acquainted with the applicant Martha Satoris I have known her about 12 years. I am also acquainted with her mother Mary Edward nee Hazard. Said Mary Edward was a Creek Indian by blood and the abm named of applicant is her oldest daughter.

Witness my hand this 25<sup>th</sup> day Aug 1896  
Susan Gouvier

Notary

Francis Reed

I a 13094  
Seen and subscribed before me this 25<sup>th</sup> day August 1896

H. V. Perry

My commission expires 2 March 1899



Apples to be  
Mianthe Sartoris  
for 26  
Aligene and Coal Gate  
Coal Gate, Ind.

John Grimmer

Apples to be  
and for 26  
Field Sep 19/1906  
( " )

H. T. V. Perry,  
Coalgate, Ind. Ter.

and the result is a very poor copy.

The first copy is a very poor copy, and the second copy is a very poor copy.

The first copy is a very poor copy, and the second copy is a very poor copy.

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The first copy is a very poor copy, and the second copy is a very poor copy.

BEFORE THE DAVIS COMMISSION, VINITA, INDIAN TERRITORY.

Martha Sartoris:  
and 2 children :----- Plaintiff.

VS.

The Creek Nation,----- Defendant.

The defendant in answer says to the plaintiff's application and affidavit in support thereof, says: It appears that she was born in the Chickasaw Nation and has resided continuously outside of the jurisdictional limits of this Nation and has never heretofore made application for citizenship on account of blood, wherefore the defendant says she is not therefore entitled to citizenship or to any of the privileges thereof.

2. For a further defence: This defendant says, that the said applicant does not state in her said application the degree of Indian blood she claims and the witnesses whose affidavits are filed in support thereof are non-residents of this Nation. The defendant denies that the applicant is an Indian by blood and entitled to the rights of citizenship in this Nation.

3. That the facts stated in said application do not show that the applicant is entitled to citizenship.

S. F. Callahan,

Wm. McIntosh,  
Attorneys at law for deft.

*James H. McIntosh*  
says that he believes the matters and things set forth in the foregoing answer to be true.

*Benjamin W. McIntosh*

Sworn to and subscribed before me this 12 day of April 1896.

*Notary Public for Indian Territory*  
*Wm. McIntosh*

**End**

88 137



no 184  
Geo. W. Smith &  
wife Fannie Smith

petition of applicants  
and affidavit of  
H. C. Dixon,

for allotment

Citizenship

Creek, No. 184

Filed Aug. 29. 1896  
D. S. McKinnon  
Clerk

Jessie Smith

H. T. Banks and  
Eufaula, Id.

Ex parte  
George W. Smith and  
his wife Jannina Smith }  
} to the Hon.  
} the Dows  
} Commission,  
} sitting as a  
} Court to try the  
} rights of claim-  
ants to citizenship, in the Mus-  
kagee or Creek Nation, in session  
at Wineta Ind. Terr.

Now Comes  
your petitioners, George W. Smith  
and his wife Jannina Smith, and  
complaining, would state unto your  
Honors, that said Geo. W. Smith is a  
Muskagee or Creek Citizen by  
blood, and has always been so  
recognized in said Muskagee  
or Creek Nation, and that his  
name, and the names of each of his  
four children, Mary Pottle, Erna  
Halford, Allen Smith and  
Robs Smith, are now, and have  
always been on said citizenship  
rolls of the said Nation; and said  
Geo. W. Smith's wife, Jannina  
Smith, has been married to him  
for twenty-eight years, and she was  
a Cherokee Indian by blood,  
but upon her marriage to

Geo. W. Smith, a Muskogee or Creek Indian, she removed to the Creek Nation, and relinquished her rights in the Cherokee Nation, and upon her said marriage and advent into the Muskogee or Creek Nation she was adopted into Dickabaska town of the Creek Nation, and her name was placed on the citizenship rolls of the Muskogee or Creek Nation by the authority of the Muskogee or Creek Council twenty seven years ago, and she enjoyed all the rights of a Muskogee or Creek Indian citizen until Oct. 1895, when her name was put off of said roll, and they did not allow her to draw the per capita money that year, to which she was entitled as a Creek citizen.

And petitioner Geo. W. Smith, would furthermore state unto your Honors, that for his protection, he took the oath of allegiance to the United States in Feb. 1895, and by so doing he aroused the ire of some of the Muskogee or Creek Indians, and was the cause of his wife's name being



Stricken from the Muskogee or  
Creek Citizenship rolls; And petitions  
waived in the more state unto your  
Honors, that they have had put  
in cultivation three places, one,  
their home place, situated one  
mile East of Wetumpka, Ind. Terr.  
in the Creek Nation, and on the South  
side of the road leading from  
Wetumpka to Enfield Ind. Terr.  
Said home place has some 35  
acres in cultivation, and the  
tract contains about 160 acres of  
land; another place is situated  
on the west bank of the Weewoka  
Creek, about two miles East of  
Wetumpka S. P. on the same  
public road as the first, and  
has 20 acres under fence and  
most of it in cultivation, said  
claim contains about 160 acres  
of land; the other, or third place,  
is about one mile from We-  
tumpka, East, and lying north  
of their home place on the Wetumpka  
and Enfield public road.  
Said place has about six acres  
in cultivation, and the claim  
contains about 160 acres of

Land.

Now Petitioners would state unto your Honors, that the place of theirs lying on the west bank of Wevoka Creek. Some two miles East of Wetumpka, on the Wetumpka and Enfield road, was confiscated by the Creek authorities some two years ago, and sold on July 25<sup>th</sup> 1896, the purchaser being J. R. Denny of Wetumpka, and the purchase price being only two dollars and fifty five cents. and your petitioners that the Creek authorities had no legal or equitable right, to confiscate and sell said place, as petitioners had violated no local law; had never leased the place but had hired one Sam Lee to put in said place, and paid him seventy five dollars for the work he did on said place.

Now petitioners would state unto your Honors, that said place is a very fine body of land, and said Smith and his wife would not take



5  
are thousand dollars for  
said place, and that it is  
reasonably worth that much  
money.

Said Petitioners would ask that  
your Honors have the name  
of Jannina Smith put back  
all the Citizenship calls of the  
Muskogee or Creek Nation,  
with all the rights, titles and  
privileges formerly enjoyed by  
her as such Citizen, and that  
your Honors proceed to allot  
to these petitioners and their  
four children named in  
this petition, the lands to  
which they are, as may be  
entitled, and in making  
the allotment, they pray,  
that your Honors include  
the three tracts of land, as  
Claims, described in this  
petition, and they pray  
for such other general and  
Special relief as they may  
be entitled to, and as is  
duty bound, they will ever

Witness my hand Geo. W. Smith for self  
and wife Jannina Smith.  
B. J. Garrison

Aug 3, 1896 Personally appeared before the  
the undersigned authority Geo  
W. Smith who signed the above  
petition for himself and wife  
Jannina Smith, and who on  
oath says that the facts set  
forth in said petition  
are true and correct.

Wm. H. Hinson  
Notary Public

Ex parte  
George W. Smith & Affidavit  
his wife Jamina Smith of Mc-  
S. H. Saxow  
& residing near  
Wetumpka Ind. Terr.

Personally appeared  
before me R. L. Simpson, a notary  
public in and for the Northern  
Judicial Dist. of the Indian  
Territory, who on oath, says:  
My name is S. H. Saxow, & I re-  
side on one of Geo. W. Smith's  
places near Wetumpka Ind. Terr.  
I know Geo. W. Smith and  
his wife Jamina Smith, and  
I know Geo. W. is a Creek Indi-  
an citizen, and have never  
heard of his right being ques-  
tioned; I know that his wife  
Jamina Smith, has always  
been recognized as a Creek  
citizen, until lately, and I have  
known her for twelve years.  
I know the place of Geo. W. Smith's  
that was confiscated and sold  
by the Indian authorities, and  
it stands just like it  
stands, & I would not take



are thousand dollars  
for it. I consider it worth  
all of that much in cash.  
I know a good many of the  
relatives of Geo. W. Smith and  
they are all Indian citizens  
of the Creek Nation, and are  
so recognised.

Witness my  
Hand and

H. C. <sup>his</sup> ~~James~~ <sup>Smith</sup>

Sworn to and subscribed  
before me, this 3<sup>rd</sup> day of  
August 1896 at Enfield, N.C.

*[Signature]*  
Notary Public

Enfauia and Mr.

Aug 21<sup>st</sup> 1896.

I hereby acknowledge have  
this day received from the  
hands of R. L. Simpson a notary  
public a copy of the application  
of Geo. W. Smith and his wife  
Famina Smith <sup>to be</sup> addressed to the  
Hon Domes Commis at Vinita  
I. T. and also a copy of the  
original affidavit of H. C. Dixon  
attatched to said application  
in testimony whereof I hereunto  
set my hand and seal using  
Seal for seal this Aug 21<sup>st</sup> 1896.

Raley M. B. Notoh

Second and Acting Principal Chief  
of the Muskogee or Creek  
Nation

I hereby certify that Hon Raley  
M. B. Notoh acting Principal Chief  
of the Creek Nation got a copy of  
application of Geo. W. Smith and his  
wife Famina Smith for allotment  
and citizenship of wife from my  
hands and also got a copy of the  
affidavit of H. C. Dixon attatched



attached to said application  
and that hon. Robt. M. Entick.  
signed this receipt in my  
presence.

J. H. Johnson  
Notary Public

Ex parte  
Geo. W. Smith & his wife <sup>3</sup> Argument  
Famima Smith } of Counsel

Supposing that your Honors have the right to allot lands to Indian Citizens upon their application, they hereby make this application and on oath say that all the facts set out in the petition are true, and suppose your Honors will consider it as evidence, and give it its proper weight in rendering your decision in the matter?

Your Honors are respectfully referred to the Citizenship <sup>acts of Congress</sup> at different periods, to further establish the truth of Famima Smith's being recognized as a Creek Citizen up to 1874, and had been recognized as such Citizen for 25 years, and having given up her right in the Cherokee Nation, and having been adopted into the Creek tribe, and recognized as a Citizen of the same for so long, I contend that she ought to be re-instated as such.

W. J. Banks,  
Atty for Petitioners.

*Larva - m. th*

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*(continued)*

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Before the Dawes Commission, Vinita, Indian Territory.

Jemima Smith, by her: \_\_\_\_\_Plaintiff.  
husband, C.W. Smith, :  
VS. ( Answer.  
The Creek Nation,-----Defendant.

The defendant says: That it appears from the statements in this application that the petitioner, George V. Smith, states that his wife Jemima Smith is a Cherokee Indian by blood to whom he has been married 28 years; that she was enrolled as a citizen of the Creek Nation and remained on the rolls as such until 1895 when she was taken off.

2 That he, the petitioner, in February 1895, took the oath of allegiance to the United States which aroused the ire of some of the Creeks and they had his wife's name scratched from the rolls.

3 The petitioner describes the lands he has improved and prays your Hon. Body to allot them to him.

4 The defendant says that the said Jemima being a Cherokee Indian by blood is not entitled to citizenship in the Creek Nation unless adopted by Act of the National Council; that she is not entitled to citizenship by virtue of her marriage with a Creek Indian, wherefore the said defendant says, that the statements in said ~~petition~~ petition are not sufficient to show that the said Jemima is entitled to citizenship in this Nation or to any of the privileges thereof.

*In the presence of the*  
*Commissioner of the*  
*Land Office at Vinita,*  
*Indian Territory.*  
S. R. Callahan,  
Fanny McIntosh,  
Attorneys for defendant.

*Robert M. McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Robert M. McIntosh*

Sworn to and subscribed before me this 22 day of July 1896.



Handwritten notes at the top of the page, including a date and some illegible text.

Handwritten notes in the middle section of the page, continuing the text from the top.

Handwritten notes in the lower middle section, featuring several vertical annotations on the left side.

Handwritten notes at the bottom of the page, possibly a signature or a concluding remark.



**End**

OK 138

Okmulgee St. Aug 29<sup>th</sup> 1896.  
To The Hon. Dawes Commission  
Winita Ind. Ter.

Gentlemen, Acting for myself  
and as Agent for my father<sup>and</sup>  
his family, I have the honor  
of placing before your Honorable  
Commission, our Application,  
asking for recognition and en-  
rollment as citizens of the Mus-  
koge or Creek Nation of Indians  
in the Indian Territory.

My father Alexander Sizemore<sup>and</sup>  
my mother Ella Sizemore are  
both Creek Indians, being de-  
scendants from old Alabama  
Creeks. We therefore claim a right  
to citizenship in the Creek Nation  
on account of being Creek Indians  
by blood. Your petitioners state  
the above facts as the lawful grounds  
of their application and pray the  
Honorable Dawes Commission  
to Thoroughly investigate their  
claim, and adjudge them to be  
citizens of the Creek Nation, and  
entitled to all the rights and priv-  
ileges of native citizens, accord-  
ing to the law and Treaties Gov.

among the said Creek Nation of  
Indians.

Our family consists of the following  
named parties, to-wit:-

my father, Alexander Simmons

" mother Ella "

" brother Chas. A. "

" " Sidney L. "

myself Leona (Stark) "

" baby Rosa "

my brother Fred. W. "

" " Isaac L. "

" sister Rosa L. "

Respectfully submitted,

Leona Stark

acting agent

Subscribed and sworn to  
before me this 29th day  
of August 1896

Thos A Parkinson  
Notary Public



Neotah. I. T. Aug. 15. 1896.

Indian Territory }  
Marion District }

Personally appeared before me a Notary Public in and for the above named District, William Fisher, who being duly sworn deposes and says that he is personally acquainted with Leona Stark and Sidney Sizemore and knows them to be Creek Indians by blood, both are children of Alex and Ella Sizemore both whom I am personally acquainted with and know them to be Creek Indians blood.

I have known the Sizemore family all my life, they having been neighbors of my father's family from my earliest recollection, and have always known them as Indians and have now heard their Indian blood questions.

William Fisher

Subscribed and sworn to before me a Notary Public in and for the above named District this 15<sup>th</sup> day of August 1896.

J. B. Morrow

Notary Public.

My Commission Expires September 3<sup>d</sup> 1898.



United States of America  
Creek Nation  
Indian Territory

SS

Personally appeared before me  
a Notary Public, E. M. Turvin,  
a Creek Indian, who being  
duly sworn by me, deposes  
and says, that he is personally  
acquainted with Leona Stark  
and Sidney Sizemore and  
knows them to be Creek Indians  
by blood, both being the children  
of Alexander and Ella Sizemore  
both of whom are Creek Indians  
by blood. Affiant further deposes  
and says that he is personally  
acquainted with the said Alex-  
ander Sizemore & Ella Sizemore  
and knows that the said Alexander  
Sizemore is the son of Levitia Ma-  
mack, who was a Creek Indian  
woman and knows the said  
Ella Sizemore to be the daughter  
of Alde Weatherford who was  
also a Creek Indian.

That he has known the Sige-  
more family all of his life,  
they having been neighbors  
of his father's family from  
his earliest recollection and  
he has always known that

that there are Indians belonging  
to the Creek Tribe of Indians.  
That he is about (68) years  
of age.

That his P.O. Address is Sapulba St.  
That he has no interest in  
presenting the said claimants  
claims to citizenship in the  
Creek Nation.

G W Towner  
Subscribed & sworn before me  
this 7<sup>th</sup> day of Sept 1896

J. B. Denny  
Notary Public

(Memorandum of Sept. 7 '96.  
To The Hon. James Commission  
United States

Simmons, Acting as atty  
for Mrs. Louisa Stark in  
representing to your Honorable  
Commission her claim to citi-  
zenship in the United States.  
I beg to offer a few remarks  
concerning the said Louisa Stark  
claim.

You will observe from the evidence  
given in support of the said  
claim, that Mrs. Stark is the  
daughter of Alexander and Ella  
Simmons both of whom are  
Creek Indians by blood, it there-  
fore follows that Mrs. Stark  
and all of her brothers and  
sisters are naturally Creek  
Indians, and being Creek Indians  
it follows that they are members  
of the Creek tribe of Indians.

It has always been a custom  
among the Creeks that whenever  
an individual could identify  
himself as a member of the  
Creek tribe of Indians, he was  
admitted to citizenship in the said

Creek Nation, then until we  
apply and to citizenship there is  
only required to establish the  
fact that he or she is the direct  
descendant from some well  
known Creek Indian of former  
times, and if he can do this  
he is adjudged a Creek citizen.  
You are doubtless aware of the  
fact that much has been said  
concerning an act of our Na-  
tional Council dated Feb. 26 '89  
and known as the Alien Act.  
Of course you are familiar  
with all the decisions of the  
Supreme Court of the Creek Nation  
relation to citizenship in the  
said Creek Nation. And you  
will observe from the late de-  
cision of the Supreme Court of  
the Creek Nation on the status of  
Adopted Citizens, that the Alien  
act was virtually annulled  
by that decision, as the said  
Supreme Court decrees by its  
late decision, that, "the Council  
has no constitutional authority  
to legislate away any property  
rights belonging to any individual



members of the Tribe."  
The Allen act, was created for  
the avowed purpose of disfran-  
chising members of the Creek  
Tribe of Indians. You are aware  
of the fact that, the Council did  
not meet in any way for the  
purpose of changing their meth-  
od of land holding nor of mak-  
ing an estimate of the amount  
of land and money due the re-  
spective members of the Tribe.  
But it was for selfish reasons  
and personal motives that this  
law was enacted, barring those  
who had a legal right to lay  
claim to citizenship in the Creek  
Nation. Citizenship in the Creek  
Nation, means property rights  
in said Nation. The Supreme  
Court of the said Creek Nation, decrees  
that "The Council has no Constitu-  
tional <sup>authority</sup> ~~right~~ to legislate away  
~~any~~ the Property rights belonging to  
any individual members of  
the Tribe," And the Citizenship  
Court sitting at Okmulgee are  
Governed by this decision, in



Q547

Case No. 5.

In the matter of  
Leona Starks claim  
to citizenship in  
the Creek Nation ~~by~~  
and  
The affidavits of  
Wm Fisher and  
G.W. Turvin  
given in support  
of said claim.

FILED SEPT. 9 1894  
A. S. McKENNON  
COM'R

Replied

O. K. Muelgey

the adjudication of Claims coming before it, and on several instances where parties had appeared before the said Court and were adjudged non citizens on account of being barred by the said Alien Law, have, since the rendering of this decision by the Supreme Court, been adjudged Full Citizens of the Creek Nation. Therefore, The Alien Law is properly numbered with the things of the past, and no longer stands in the way of persons making applications for citizenship in the said Creek Nation.

I have no comment to make concerning the parties testifying in this case, save, to say that two more responsible parties cannot be found within the bounds of the whole Creek Nation.

Soliciting your kind and carefull consideration of the facts submitted in support of this claim.

I beg to remain your humble  
Servant. - O. A. Morton Lawyer  
Kmulgen  
S.

REGISTRY RECEIPT.

Post Office at Okmulgee I T  
Registered Letter { No. 26 Rec'd Sept-8 1896  
Parcel {  
of O A Morton  
Okmulgee I T  
addressed to Hon Raley M. Intosh  
Enfauka Ind Ter  
66 Belcher P. M.

United States of America  
Creek Nation } S.S.  
Indian Territory

One this 8<sup>th</sup> day of September A.D. 1896, personally appeared before me the undersigned authority, Charlie Meyers who being duly sworn by me, deposes and says I am a Creek Citizen by right of Marriage and am about (39) years of age. My P.O. address is Okmulgee, Ok.

That, on this 8<sup>th</sup> day of September A.D. 1896, I saw a ~~package~~<sup>letter</sup> registered at the Post Office at Okmulgee addressed to Hon. Robert M. Sutorsh Acting Prin. Chief M. M. Cofaula, Ok. That register receipt No. 26, received of Post Master, hereto attached is a receipt for said ~~package~~<sup>letter</sup> which contained true copies of the application of James Bruner and family and of the Affidavits of Mary Ann Grayson and Silas Jefferson, in support of said claim or application. That the said package, also contained true copies of the application of Leona Clark and family and of the affidavits of William Fisher,



and G. W. Turvin, in support of  
the said Loma Starks claim.

Charles E. Myers

Subscribed and sworn to before  
me this 5th day of September  
1896

Thos A. Parkinson  
Notary Public



Atteste de la Cour  
le 10 Mars 1807

Le Greffier

Am. 1807 de la Cour de la Cour de la Cour

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Before the Dawes Commission, Vinita, Indian Territory.

Leona Stark, for herself :  
and as agent for her :  
father Alexander Sizeman :  
VS. ( Answer.  
The Creek Nation,-----

The defendant says the petitioners were born outside of the limits of this Nation and raised in Alabama and did not come here until after the passage of the alien act of Oct. 28, 1888, and have not been able to prove by responsible, disinterested native witnesses that they are Creek Indians as required by the laws of the Creek Nation and have not been enrolled by the authorities thereof and their petition and affidavits in support thereof do not show them to be of Muskogee descent not further removed than the fourth degree, wherefore the defendant says they are not entitled to citizenship in the Creek Nation.

2. The defendant says that the petitioners are not Creek Indians, but are of Muskogee descent not further removed than the fourth degree, wherefore the defendant says they are not entitled to citizenship in the Creek Nation.

James Holbrook,  
Attorney for defendant.

James Holbrook says that he believes the statements and things set forth in the foregoing answer to be true.

James Holbrook

Sworn to and subscribed before me this 10th day of July 1896.  
Notary Public for the State of Oklahoma  
J. H. Holbrook

Very truly yours,  
J. H. Holbrook

**End**

CR 139

No. 139

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Baker Taylor et al*

*Chick*

vs

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED JOB PRINT PORT SMITH



RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of  
vs. Nation, as follows:

WITNESS my hand and official seal at *Muscogee*  
this the *26<sup>th</sup>* day of *January* 189*7*  
*Geo. A. Winston*  
*Clerk*

No 139

Prince Taylor & Co

Great Britain

Order of Appeal

NOTICE.

248

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

ss.

In the United States Court for said District.  
In the matter of the application of  
**Brice Taylor et al** to be  
enrolled as citizens of the **Muskogee** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**Brice Taylor et als**

to be enrolled as citizens of the **Muskogee** Nation, from said  
**Commission**  
to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested  
by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a  
transcript of all the entries made in the docket of your tribunal relating to the case, together with the  
depositions and testimony taken before said tribunal; the decision thereof on the application, and all original  
papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **20th** day of  
**Jan. 1897.** A.D. 189

Clerk.

**End**

AR 140



No 140

Robert B. Taylor et al

vs  
Over Nation

Order of Appeal

## NOTICE.

249

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

In the United States Court for said District.

In the matter of the application of

ss.

Robert B. Taylor et al

to be

enrolled as citizens of the Muskogee Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Robert B. Taylor et als

to be enrolled as citizens of the Muskogee Nation, from said

Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 20th day of  
Jan. 1897. A.D. 189

Clerk.

No. 140

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Robt B Taylor Etal

VS.

Orin

Nation.

Received and filed this

day of

189

Secretary.

RECEIVED FOR POST OFFICE

vs. \_\_\_\_\_ Nation, as follows:

**.VS.**

Nation, as follows:

WITNESS my hand and official seal at

this the 26 day of

189 7

Muscogee  
 January 1897  
 Jas. A. Winston  
 Clerk

**End**



CR 141

see Northern Dimer No. 248

Be of course in the jurisdiction, usual to be found.

and that he possesses the necessary and suitable

Veronica for the purpose of  
being released.

C. C. C. C. C.

and accordingly cases may be of the same nature.

The first case is now the subject of the case before  
the court on the 10th of the month of the year.

It has no reference to the subject of the case.

It is a case of the same nature.

The court has decided that the subject of the case  
is not a case of the same nature.

The court has decided that the subject of the case  
is not a case of the same nature.

As

being a case of the same nature.

being a case of the same nature.

BEFORE THE DAWES COMMISSION, VINITA, INDIAN TERRITORY.

Nettie Tipton,----- Plaintiff.

VS.

The Creek Nation,----- Defendant.

The defendant says that the application does not state facts, if true, sufficient to show that she is entitled to citizenship in this Nation.

2. That no evidence in support of her claim is annexed, attached or referred to in the papers served upon the Chief.

3. That her case rests upon the same basis as the Price Taylor and Stafford cases and all of them must be dismissed.

*to be signed and sworn to by the Plaintiff*  
S. B. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*Bunny McIntosh*  
says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

Sworn to and subscribed before me this *22* day of *October* 1896.

*John M. Rogers*

*H - 70*

*exp. Oct 10th 1900*

FILED SEPT. 9 1896. ☆  
A. S. McKENNON  
COM 'R'

FILED SEPT. 9 1896. ☆  
 ✻A. S. McKENNON✻  
 COM'R-✻

Lahecotah N.T. Sept 7<sup>th</sup> 1896

Received this day of Betty Tipton per Nelsons & his  
her attorney, copy of application in case # 718  
of Betty Tipton et al for citizenship in the  
Crow Nation

Boley McIntosh

Chief Crow Nation

By  
J. H. Callahan  
Notary



Price Taylor a resident of Emporia Kansas first being duly sworn deposes and says as follows to wit: That he was born and raised and resided in Tennessee until 1871 when he removed to the State of Kansas. That he is 63 years of age, was married to his present wife Betsey Taylor prior to the late war. Her maiden name was Betsey Duffel or Duffield. Her father's name was George Duffield. He was a full blood Creek, Indian and resided in Elizabethton, Carter Co. Tennessee. He has many times in his life that he was an Indian, and he was so regarded by everybody. He was captured and brought to Tennessee after the war led by Gen Jackson, was what he said of him, and Gen Taylor took him home with him to Tennessee - Carter County. He died in 1880.

He states further that he is well acquainted with Bettie Lipton, who has applied for citizenship.



Price Taylor Jr. (St Paul Minn.)  
first being duly sworn deposes  
and says as follows to wit;  
I was born in Carter Co. Tennessee  
35 years ago. I am a son of Price  
Taylor aged 63, ~~and~~ <sup>Taylor</sup> Betsey ~~Price~~  
whose maiden name was Betsey  
Duffield, and who were lawfully  
married. My grandfather was  
George Duffield, who was a full  
blood Creek Indian to the best of  
my knowledge. I remember my  
grand father well. He looked like an  
Indian, ~~always~~ <sup>and</sup> he was a Creek, spoke  
the language and was regarded by the  
people as a Creek Indian. He lived and  
died in Carter Co. Tennessee. I am  
a first cousin of Bettie Tipton who  
now resides in Muscogee I. T. and who  
is an applicant for citizenship in  
the Creek Nation.

Price Taylor, Jr.

Sworn and subscribed to  
before me this 7<sup>th</sup> September 1896.

● A. G. S. Sango.

Notary Public.

My Commission expires Dec. 5<sup>th</sup> 1899. H. Dick.

#No 718  
Case of  
Bettie Tipton et al  
for citizenship in the  
Creek Nation

---

Filed Sept 8-1896  
A.S. McKinnon  
Clerk

Rejected

Filed by  
Nelson Lieber  
Musrogee  
Ind. Ter.



The Nemadli Dawes Commission

The application of Bettie Tipton  
for citizenship in the Creek  
Nation for herself and children  
as their next friends.

Bettie Tipton for herself and  
Mary, George, Frank, Willie,  
Maud, and Manuel Tipton her  
children all under 21 years of  
age makes application for citizen-  
ship in the Creek Nation and  
states the following facts as  
the basis of the application  
to wit:

The applicant Bettie  
Tipton before her marriage to  
her husband George Tipton, was  
named ~~the~~ Bettie Duffield.

She is an Indian by blood  
of the Creek Nation. Her father  
was Tecumseh Duffield who  
lived in Tennessee, a Creek  
Indian by blood, who was <sup>married</sup> ~~married~~  
to the mother of this applicant.  
Tecumseh Duffield was the son  
of George Duffield who lived in  
Carters County, Tenn. and was  
a full blood Indian, and before  
married to the grand mother



of this applicant. She said George Duffield was brought to Tennessee when a small boy.

She states further that she was lawfully married to Geo. Tipton 26 years ago by Wm. Castle a Minister of the Gospel in Elizabethtown Tennessee, and that the children herein mentioned are the issue of said marriage, and all now reside in Mississippi &c. Therefore she prays that she and her children may be enrolled as citizens of the Creek Nation.

Witness  
A. G. Sango.

his  
Geo. Tipton  
Clerk

Sworn and subscribed to before  
me this 3<sup>d</sup> day of September 1896

**End**

CR 142

Commission to the Five Civilized Tribes,

Dear Sir.

VINITA, IND. TER., 8/22 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and when the registry receipt is returned to you, signed by him, have some disinterested person to make affidavit in form about as follows:

I, Wm Blackland, do solemnly swear that on the 4 day of Sept, 1896, I saw a package registered at the postoffice at Mulberry, addressed to Esperanza, Governor or Chief of the Creek Nation, Ind. Ter., that registry receipt, No.         , hereto attached, is a receipt for said package, which contained true copies of the application of W. A. Long, and of the affidavits of Wm Blackland and J. M. Stille in support of same.

Subscribed and sworn to before me, on this 7 day of Sept, 1896.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory.

J. S. McKeen,  
For the Commission.

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To The Hon Dames Com.  
Gentlemen:

In the claim of  
W. H. Long for citizenship in  
the Creek Nation we submit  
the affidavits of Preston Hays  
and J. M. Boyles in support  
of said petitioner's claim  
Therefore we ask that  
said claimant be  
admitted to citizenship  
in the Creek Nation.

Jesse H. North.  
Atty for Petitioner

## AFFIDAVIT OF WITNESS.

STATE OF Texas }  
COUNTY OF Baker } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared Preston Stagg who after being by me duly sworn states that is 55 years of age, and a citizen of Baker County and State of Texas, and that he is personally acquainted with W. A. Gray who is an applicant for citizenship in the Chick Nation, I. T., and affiant further states that the said W. A. Gray is the identical person who represents him self to be in the application for citizenship in said Nation, and that the said

W. A. Gray is now residing in Baker County Texas is also well known to our citizens - he is regarded as a man of true truth and veracity - a good citizen indeed

Affiant further states that he has known the said W. A. Gray for the past 15 years and knows that he is and has been recognized and treated by our neighbors, acquaintances and the public generally, as a person having pure Indian blood; and that the complexion, physical appearance, language and manners of the said W. A. Gray indicate that the said W. A. Gray is of Indian blood. That from the above facts and circumstances and from statements made to affiant by the said W. A. Gray affiant states that he has every reason to believe, and does believe that the said W. A. Gray is of pure Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said W. A. Gray to citizenship in the Chick Nation, I. T., and that is not related by blood or marriage to the said W. A. Gray.

Subscribed and sworn to before me this 2nd day of August A. D. 1897  
and I further certify that I am well acquainted with the said Preston Stagg and know him to be a person of credibility and of truth and veracity.

John W. Gray Notary Public.

My commission expires on the 12th day of May, 1897.

# AFFIDAVIT OF WITNESS.

STATE OF Ia }  
COUNTY OF P. Carter } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared J. W. Boyle who after being by me duly sworn states that is 34 years of age, and a citizen of P. Carter County and State of Ia and that he is personally acquainted with W. A. Dwy who is an applicant for citizenship in the Creek Nation, I. T., and affiant further states that the said W. A. Dwy is the identical person who represents him self to be in the application for citizenship in said Nation, and that the said

W. A. Dwy is now residing in Parker County Ia & also well known to our people he is regarded as a man of Honor truth and veracity and a good citizen generally

Affiant further states that he has known the said W. A. Dwy for the past 15 years and knows that he is and has been recognized and treated by our neighbors, acquaintances and the public generally, as a person having in him Indian blood; and that the complexion, physical appearance, language and manners of the said W. A. Dwy indicate that the said W. A. Dwy is of Indian blood. That from the above facts and circumstances and from statements made to affiant by the said W. A. Dwy affiant states he has every reason to believe, and does believe that the said W. A. Dwy is of Indian Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said W. A. Dwy to citizenship in the Creek Nation, I. T., and that is not related by blood or marriage to the said W. A. Dwy

Subscribed and sworn to before me this 20 day of August A. D. 1896  
and I further certify that I am well acquainted with the said J. W. Boyle  
and and know him to be a person of credibility and of truth and veracity.

My commission expires on the 1st day of May, 1897

John W. Squires  
Notary Public.



<sup>boy</sup>  
W. A. Long  
U.S.  
Circuit Court

Revised

James L. Smith  
att'y

William A. Parsons 14  
Su 12  
Cora 4  
Grandchildren of 4  
Cora Bell 1  
Otha 3  
J. B. Parsons 3

APPLICATION FOR ENROLLMENT.

To the Honorable Dawes Commission:—

Gentlemen: The undersigned, your petitioner, this day makes this his application for enrollment as a member of the Cherokee Tribe of Indians, in accordance with an act of Congress approved June 10th, 1896, and respectfully make the following statement of grounds of this his application to-wit:

That Frank J. Coy is the lawful descendant of one Wm. A. Parsons Indian whom the undersigned fully believes was an Indian belonging to said Tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his application for Cherokee citizenship by blood, and respectfully awaits the time when his application shall be truly heard and tried.

Age..... Post Office..... family, with their relationship attached as follows:

| No. | NAME.           | SEX. | AGE. | RELATIONSHIP.    |
|-----|-----------------|------|------|------------------|
|     | W. A. Coy       |      |      |                  |
|     | W. Coy Parsons  |      |      |                  |
|     | F. B. Coy       | M.   | 32   | Son of W. A. Coy |
|     | Anna Albert Coy |      |      | Daughter         |
|     | Mary Seabolt    |      |      | Daughter         |
|     | Rosa A.         |      |      | Daughter         |
|     | Lida L.         |      |      | Daughter         |
|     | Charlie R.      |      |      | Son              |
|     | Sarah C.        |      |      | Daughter         |
|     | William         |      |      | Son              |
|     | Ida             |      |      | Grand daughter   |

Respectfully Submitted, Signed W. A. Coy  
Subscribed and sworn to before me this 20th day of August 1896  
John M. Snygers  
Attorney



Affidavit of Oath  
State of Texas  
County of Parker

Before me, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared Ruston Stagg who after being by me duly sworn states that he is 55 years of age, and a citizen of Parker County and State of Texas and that he is personally acquainted with W. A. Fry, who is an applicant of citizenship in the Creek Nation I. C., and affiant further states that the said W. A. Fry is the identical person he represents himself to be in the application for citizenship in said Nation, and that the said W. A. Fry is now residing in Parker County Texas, is well known to our citizens - he is regarded as a man of honor Trust and veracity a good citizen generally.

Affiant further states that he has known the said W. A. Fry for the past 15 years and knows that he is and has been recognized and treated by his neighbors acquaintances and the public

generally, as a person having Indian  
blood; and that the complexion  
and physical appearance, language  
and manner of the said N. A. Joy  
indicate that the said N. A. Joy  
is of Indian blood. That from  
the above facts and circumstances  
and from statements made to  
affiant by the said N. A. Joy  
affiant states that he has every  
reason to believe, and does believe  
that the said N. A. Joy is of  
Indian blood.

Affiant further states he has no  
interest whatever in the prosecution  
of the claim to citizenship of the  
said N. A. Joy, in the Creek Nation,  
and that he is not related by  
blood or marriage to the said  
N. A. Joy.

Preston Staggs.

Subscribed and sworn to before me  
this 20th day of Aug. A. D. 1894.  
and I further certify that I am  
well acquainted with the said  
Preston Staggs and know him to be  
a person of credibility and of  
truth and veracity.

John W. Squire,  
Notary Public.



Affidavit of Oath  
State of Texas  
County of Parker

Before me, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared L. W. Boyles who after being duly sworn states that he is 34 years of age, and a citizen of Parker County and State of Texas and that he is personally acquainted with W. A. Joy who is an applicant for citizenship in the Creek Nation Ind. Terr., and affiant further states that the said W. A. Joy is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said W. A. Joy is now residing in Parker County Texas. He is well known to our people, he is regarded as a man of honor truth and veracity and a good citizen generally.

Affiant further states that he has known the said W. A. Joy for the past 15 years and knows he is and has been recognized by his neighbors, acquaintances and the public generally, as a person

1 having in him Indian blood; and  
2 that the complexion, physical  
3 appearance, language and manner  
4 generally of the said W. A. Joy  
5 indicate that the said W. A. Joy  
6 is of Indian blood. That from  
7 the above facts and circumstances  
8 and from statements made to  
9 him by the said W. A. Joy, affiant  
10 states he has every reason to  
11 believe and does believe that the  
12 said W. A. Joy is of Indian blood.

13 Affiant further states that  
14 he has no interest whatever in  
15 the prosecution of the claim of  
16 the said W. A. Joy to citizenship  
17 in the Creek Nation Ind. Terr.  
18 and that he is not related by  
19 blood or marriage to the said  
20 W. A. Joy.

21 J. W. Boyles  
22 Subscribed and sworn to before  
23 me this 20th day of Aug. 1896.  
24 and I further certify that I am  
25 well acquainted with J. W. Boyles  
26 and know him to be a person  
27 of credibility and of truth and  
28 veracity.

29 John W. Squires  
30 Notary Public.  
31  
32

Copy.

M. A. J. J. J.

Cas. 15. in D. 15.

Before saw  
common

J. W. W. W.  
Atty



William A. Parsons is Ethel & Parsons 2

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W. H. Long  
J. A.  
Crested Tit  
Jury

Filed Sept 8-1896  
Q. S. McKinnon  
Clerk

Rejected

James H.  
Atty.

**End**

CR 143

In the United States  
Court for the Northern  
District Indian Territory

Wm. J. Seaver.

VS. - # 203

Creek Indian

Petition for an appeal.

FILED

JAN 14 1897

J. A. Winston  
CLERK

143

412

W. J. Seaver.  
att'y for appellant.



IN THE UNITED STATES COURT IN THE INDIAN TERRITORY  
NORTHERN DISTRICT AT MUSCOGEE.

Nancy J. Tarver et al,  
Appellants,

vs

Muskogee Nation,  
Appellee.

Your petitioner shows that she makes this  
petitioner for herself and her children. That they are Creek  
Indians by blood, and entitled to be admitted to citizenship in  
the Creek or Muskogee Nation of Indians. That heretofore, to-wit  
on the \_\_\_\_\_ day of \_\_\_\_\_ 1896, she made application for herself  
and her said children to the Commission to the Five Civilized  
Tribes, known as the Dawes Commission, to be admitted to citizen-  
ship in said Muskogee Nation, and that said application was on  
the 25th., day of November 1896 denied. That said application  
was supported by evidence proving the allegations thereof.

Your petitioners ask that they have an appeal from the  
said decision of said Commission, and that upon a final hearing  
of this cause they be adjudged entitled to all the rights of  
Creek citizenship.

Your petitioners show that the said Commission erred in said  
Decision, in this, to-wit:-

That the said decision was contrary to the Law in such  
cases made and provided.

That the said decision was contrary to the evidence filed  
with said Commission in support of said application.

*W. J. Tarver.*

Attorney for Appellants.

No. 143

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Nancy J. Barron et al

VS.

Chick

Nation.

Received and filed this

day of

189

Secretary.

CLERK OF THE COURT

..... vs. .... Nation, as follows:

. Y8

...Nation, as follows:

7

WITNESS my hand and official seal at Mus. Cogee  
this the 26<sup>th</sup> day of January 1897  
Jas. A. Winston  
Clerk.

No 143

Nancy  
Mary J. Marow Etal  
vs.  
Creek Nation

Order of Appeal  
U.S. Court

ORDER OF APPEAL

U.S. COURT

U.S. COURT



## NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

In the United States Court for said District.  
In the matter of the application of  
SS. Nancy J. Farver et als to be  
enrolled as citizens of the Creek Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Nancy J. Farver et als

to be enrolled as citizens of the Creek Nation, from said  
Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 14th day of  
January, 1897. A.D. 189.....

Gasal Winston Clerk.



**End**

CR 144

IN THE MATTER OF THE APPLICATION OF MARY E. TERRELL AND  
JIMMIE HUGHES FOR CITIZENSHIP IN THE CREEK NATION OF INDIANS.

United States of America)  
Indian Territory )SS.  
Northern District )

Personally appeared before me  
the undersigned authority, Solomon McIntosh, who being by me first  
duly sworn, upon his oath said as follows:-

I am about 80 years of  
age. I am a Creek citizen by adoption. I am still a stout, hearty  
man and in full possession of all my faculties. I am well acquaint-  
ed with the claimants, viz. Mary E. Terrell and Jimmie P. Hughes.  
They are children of one Peggy Miller who was a Creek half breed  
Indian and lived with the Creek Indians on the old reservation in  
Alabama. She had three brothers and one sister, viz. Major, Sam,  
Wilson, and Nancy who all came here and lived and died here as  
full citizens of the Creek Nation.

I was brought here several years before the Millers came, and  
when they came I went to see Nancy Miller and asked her where  
her sister, Peggy Miller was, she said that Peggy had married a  
white man by the name of Henry Morris and had stayed in the old  
country. The Millers were raised near the Alabama River, about  
one mile from where I lived. We played together as children, and  
I knew them as well as I know my own brothers and sisters. They  
are all dead and leave but one descendant that I know of, viz.  
Sam Herred. He is a grand son of Nancy Miller and a citizen of the  
Creek Nation.

Witnessed by  
J. A. Parks.

*Solomon McIntosh*  
McIntosh

Sworn to and subscribed before me this 5<sup>th</sup> day of May ---1896.

*W. F. Seam*  
Notary Public.

The State of Texas  
County of Lampasas

Personally appears

before me the undersigned Justice  
Bob Perkins now of Lampasas County  
Texas but formerly of La Fayette  
Alabama and I was acquainted  
with Peggy Miller in the years 1835  
1836 and 1837 in La Fayette County,  
Alabama and she was then  
living with the Creek Indians  
at that time and was recognized  
by the Indians and by all other  
people there as having Creek  
Indian Blood in her and  
as belonging to the Creek Indian  
Tribe and I know that after  
the said Peggy Miller married  
Henry Morris and as the name  
of said marriage <sup>was then</sup> Mary E. Morris  
now Mary E. Terrell formerly P.  
Morris from Jennie P. Hughes and  
John Morris I know this because  
I then lived there and was well  
acquainted with said Peggy Miller

Bob Perkins

Subscribed to and sworn to before me  
this the 18<sup>th</sup> day of Feb 1893

Albion M. Garland Notary Public  
Lampasas Co. Tex.



No. 3820

In re Application

Mary E Terrell &  
Jimmie P. Hughes  
et al.  
For citizenship in  
the Creek Nation

FILED SEPT. 9 1895  
A. S. MCKENNON  
COM'R

H. F. Seaver  
Att'y



The State of Texas  
County of Lampasas }

Personally appeared before  
me the undersigned authority, Peter Abster  
who after being by me duly sworn upon  
his oath deposes and says that he is well  
acquainted with Mary E. Turrell and  
that he knows her in Alabama on the Creek  
reservation in Chambers County and that  
her maiden name was Mollie the daughter  
of Peggy Miller who was of half blood of  
the Creek or Muscovie Indian Tribe, and  
that she the said Peggy Miller was gene-  
rally known and spoken of by the neighbors  
as a Creek or Muscovie Indian in the  
vicinity in the vicinity in which she  
lived and that the said Mary E.  
Turrell the daughter of Peggy Miller  
when attending school was recognized  
and reputed to be of Indian blood and  
that he the affiant attended school with  
her and knows of his own knowledge  
that she was so reputed to be of Indian blood  
I know the family in Alabama about the  
year 1848 or 9

Peter Abster

Sworn to and Subscribed before me this  
26<sup>th</sup> day of November 1894

N. F. Mules

County Judge  
Lampasas Co. Tex

State of Texas  
County of Lampasas

Personally appears  
before me the undersigned authority Peter  
Abston who after being by me duly sworn  
upon his oath deposes and says that;  
he is well acquainted with Mrs. J. P.  
Hughes, and wife of Moses Hughes and  
that he knew her in Alabama on the Creek  
reservation in Chambers County and that  
her maiden name was Miller, the daughter  
of Peggy Miller, who was of half blood  
of the Creek or Muscogee Indian Tribe, and  
that she the said Peggy Miller was generally  
known, and spoken of by the neighbors as  
a Creek or Muscogee Indian, in the va-  
cinity in which she lived, and that the  
said Jimmie P. Hughes the daughter of Peggy  
Miller when attending school was recognized  
and reputed to be of Indian blood, and that  
he the said affiant attended school with her  
and knows of his own knowledge that she  
was so reputed to be of Indian blood.  
I knew the family in Alabama about  
the year 1848 or 7

Peter Abston

Sworn to and Subscribed before me, This  
the 26<sup>th</sup> day of November 1894

N. F. Meeks

County Judge  
Lampasas Co. Tex.



## Okmulgee Ind Terry

Personally appears  
before me the undersigned authority  
Mrs Susie Graham who after being by me  
duly sworn upon her oath deposes and says  
that she is well acquainted with Mrs Jimmie  
P Hughes and res that she is of Indian  
blood and has bin living with the Indians  
Creek Indians at times for thirty 30 years  
she knows Mrs Jimmie P Hughes to be of the  
Miller family of Indians and know that Mrs  
Jimmie P Hughes is now living at Okmulgee  
Creek Indian and know that she is reckoned  
among the citizens as being of Indian descent

Susie <sup>her</sup> Gray son  
Mok

Witness to Mok  
J. H. Morton,

Subscribed and sworn to before me  
the 23<sup>rd</sup> day of Jan 1896  
Fred A. Parkinson  
Notary Public

Personal and Legal

Personally appears before  
me the undersigned authority Julia Jackson  
who after being by me duly sworn upon  
her oath deposes and says that she is  
well acquainted with Mrs Mary E Terrell  
and says that Mary E Terrell is of Indian  
blood and has been living in the  
Creek nation for times for the past  
thirty years and knows her to  
be of the Miller family of  
Creek Indians.

Julia Jackson  
Notary Public  
P. H. Morton.

Subscribed and sworn to before me  
the 23<sup>rd</sup> day of July 1896  
Fred A. Parkinson  
Notary Public



IN THE MATTER OF THE APPLICATION OF MARY E. TERRELL AND  
JIMMIE P. HUGHES FOR CITIZENSHIP IN THE CREEK NATION OF INDIANS.

United States of America    ))  
Indian Territory            )) SS.  
Northern District            ))

Personally appeared before me the  
undersigned authority, Mary E. Terrell, to me personally known,  
and she being by me first fully sworn upon her oath says as  
follows:-

I am fifty six years of age. My Post Office address is  
Okmulgee Indian Territory. I am one of the claimants in this case.  
The other claimant, viz. Jimmie P. Hughes, is my full sister and  
we live together. Our mother was Peggy Miller who was a half  
breed Creek Indian woman and lived with the Tribe in Alabama on  
the old Creek Reservation in Chambers County. She married our  
father, Henry Morris, by whom she had three children, viz. Mary E.,  
myself, John E. and my sister, the other claimant, Jimmie P..

I married my first husband, G. P. Lett, and had by him my  
daughter, Jennie, she has married and her name is now Lannam, and  
she has a daughter by the name of Mary E. Lannam. My first hus-  
band died and I married J. B. Terrell and had by him two children,  
Goldie, now Haldrige, and Henry Terrell. Our mother Peggy Miller  
lived and died on the old Creek Reservation in the State of  
Alabama, and we have lived in the Creek Nation most of the time  
for the last 25 years, and have always been regarded by all who  
knew us as Creeks. My sister Jimmie P. Morris married Moses  
Hughes, She has no children. The three children named in our  
application are mine and were born in lawful wedlock. Mary E.  
Lannam is my grand child. Our mother was always regarded as a  
member of the Creek Tribe of Indians. She had three brothers and



one sister, viz. Major, Sam, Wilson, and Nancy Miller who came to this Indian Territory, lived and died here as well recognized citizens of the Creek Nation. They are all dead and leave but one representative that I now know of whose name is Sam Harrod., who lives in the Creek Nation and is a Creek citizen.

Witness my hand this 5 day of Aug 1896. Mary E. Terrill

Sworn to and subscribed before me this 5 day of Aug 1896

[Signature]  
Notary Public.

oooooooooooooooooooo

Personally appeared before me Jimmie P. Hughes, who being by me first duly sworn upon her oath says that she is the claimant Jimmie P. Hughes mentioned in the above and foregoing affidavit of her sister Mary E. Terrill, that she has read said affidavit and is acquainted with the facts therein contained, and that the same are true.

Jimmie P. Hughes  
Sworn to and subscribed before me this 5 day of Aug 1896

[Signature]  
Notary Public.

Sworn to and subscribed before me this September 8, 1936.

Notary Public Northern District Ind. Ter.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes  
in the Indian Territory:

Your petitioner, Mary E. Terrell, undersigned, respectfully states that he is a Creek Indian by blood, and asks to be enrolled as a member of the Creek Nation of Indians in the Indian Territory. That she derives her said Indian blood from Peggy Miller her mother, who was a half blood Creek Indian by blood. That their mother Peggy Miller lived with the Creek Indians on their reservation in Alabama, and there married a white man by the name of Henry. One of this union was named the applicant namely Mary E. Terrell & Linnie P. Terrell Hughes.

Your petitioner states the above facts as the lawful grounds of her application for citizenship in the Creek Nation, and prays that her claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Creek Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 56 3/4 years. My Post Office address is Cherokee Ind Ter.  
My family consists of the following-named persons: My self & children and children, as follows:  
Linnie Lannan aged 29 years.  
and her daughter Mary, Lannan aged 7 years.  
Eddie, Terrell, now Hardridge aged 18 years.  
Henry, Terrell aged 16 years.  
aged years.  
aged years.  
aged years.  
aged years.  
aged years.  
aged years.

WITNESS my hand this 29 day of July, 1896.

Mary E. Terrell  
Linnie P. Hughes

Indian Territory  
Creek nation

Personally appeared before me, the undersigned authority Mary E. Terrell, Linnie P. Hughes to me known to be the petitioner in the above petition, who being by me first duly sworn, upon their oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Mary E. Terrell

Subscribed and sworn to before me at Cherokee Ind Ter  
this 29 day of July, A.D. 1896.

W. H. Shaw  
Notary Public

IN THE MATTER OF THE APPLICATION OF MARY E. TERRELL AND  
JIMMIE P. HUGHES FOR CITIZENSHIP IN THE CREEK NATION OF INDIANS.

United States of America )  
Indian Territory ) SS.  
Northern District )

Personally appeared before me the undersigned authority, Mary E. Terrell, to me personally known, and she being by me first duly sworn upon her oath says as follows:

I am fifty six years of age. My Post Office address is Okmulgee Indian Territory. I am one of the claimants in this case. The other claimant, viz. Jimmie P. Hughes, is my full sister and we live together. Our mother was Peggy Miller who was a half breed Creek Indian woman and lived with the Tribe in Alabama on the old Creek Reservation, in Chambers County. She married our father, Henry Morris, by whom she had three children, viz. Mary E., myself, John H. and my sister, the other claimant, Jimmie P..

I married my first husband, G. P. Lott, and had by him my daughter, Jennie, she married and her name is now Lannam, and she has a daughter by the name of Mary E. Lannam. My first husband died and I married J. B. Terrell and had by him two children, Goldie, now Holdridge, and Henry Terrell. Our mother Peggy Miller lived and died on the old Creek Reservation in the State of Alabama, and we have lived in the Creek Nation most of the time for the last 25 years, and have always been regarded by all who knew us as Creeks. My sister Jimmie married Moses Hughes, she has no children. The three children named in our application are mine and were born in lawful wedlock. Mary E. Lannam is my grand child. Our mother was always regarded as a member of the Creek Tribe of Indians. She had three brothers and one sister, viz. Major Sam Wilson, and Nancy Miller who came to this Indian Territory, lived and died here as full recognized citizens of the Creek Nation. They are all dead and leave but one representative that I know of whose name is Sam Herrod., who lives in the Creek Nation and is a Creek citizen.

Witness my

hand this 5 day of Aug 1896.

Mary E. Terrell

~~Sworn to and subscribed before me this 5 day of Aug 1896.~~

Sworn to and subscribed before me this 5 day of Aug 1896.

W. F. Seavers

(SEAL)

Notary Public.

Personally appeared before me Jimmie P. Hughes, who being first by me first duly sworn upon her oath says that she is the claimant Jimmie P. Hughes mentioned in the above and foregoing affidavit of her sister Mary E. Terrell, that she has read said affidavit and is acquainted with the facts therein contained, and that the same are true.

Jimmie P. Hughes

Sworn to and subscribed before me this 5 day of Aug 1896

W. F. Seavers.

(SEAL)

Notary Public.



To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Mary E. Terrell and Jimmie P. Hughes, undersigned, respectfully states that he is Creek Indian by blood, and asks to be enrolled as a member of the Creek Nation of Indians in the Indian Territory. That they derive their said Indian blood from Peggy Miller, their mother, who is a half blood Creek Indian by blood. That their mother, Peggy Miller lived with the Creek Indians on their reservation in Alabama and there married a white man by the name of Henry Morris, of this union was borned the applicants namely Mary E. now Terrell and Jimmie P. now Hughes.

Your petitioner states the above facts as the lawful grounds of their application for citizenship in the Creek Nation and prays that their claim may be fully investigated by your Honorable Commission and that t he be adjudged to be a citizen of said Creek Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said nation of Indians.

My age is 56 and 51 years. My Post Office Address is Okmulgee, I. T. My family consists of the following-named persons: Myself & Sister and children, as follows:

Jimmie Laman, aged 29 years.  
and her daughter Mary E. Laman aged 7 years.  
Goldie Terrell, now Hardredge, aged 18 years.  
Henry, Terrell aged 16 years.

Witness my hand this 29' day of July, 1896.

Mary E. Terrell

Jimmie P. Hughes

Indian Territory) ss.  
Creek Nation )

Personally appeared before me, the undersigned authority, Mary E. Terrell, Jimmie P. Hughes to me known to be the petitioner in the above petition, who being by me first duly sworn, upon their oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Mary E. Terrell

Subscribed and sworn to before me at Okmulgee, Ind. Ter. this 29 day of July, A. D. 1896.

W. F. Sears

(SEAL)

Notary Public.



**End**

CA 145

VIOLATION OF THE  
MILITARY

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Before the Dawes Commission, Vinita, Indian Territory.

Margaret A. Thomas,-----Plaintiff,  
VS. ( Answer,  
The Creek Nation,-----Defendant.

The defendant says: That it appears from the statements in this case that she relies upon the evidence in the case of her grand-father, Marshall C. Kelley, and she has filed no ~~application~~ affidavits in support of her application.

Defendant says that the petition and affidavits in the case of Marshall C. Kelley that he was born and raised outside of the limits of this nation, married and raised his family in the State of Texas where they all reside and are citizens thereof.

That this applicant does not show that she is of Muskogee descent by a responsible, disinterested native witness.

The defendant says she is not a Creek Indian by blood and is not entitled to citizenship upon her own showing.

S. R. Callahan,

Bunny McIntosh,  
Attorneys for defendant.

*James M. McIntosh* says that the statements and things set forth in the foregoing answer are true, as he verily believes.

*Bunny McIntosh*

sworn to and subscribed before me this 24 day of August 1896.

*James M. McIntosh*

*Copy from exp (Oct 1<sup>st</sup> 1900)*

No 3816

In re Application of  
Margit A Thomas for  
Citizenship in the Creek  
Nation Enol Ter

FILED SEP 10 1904  
A. S. J. 1904  
COM R

Replied

W. F. Searr aty  
For Plaintiff.



Personally appeared before me the undersigned authority W. F. Seaver  
who being by me first duly sworn upon his oath says that he did on  
this day deposit in the United States Post Office at Mascagoes Ind.  
Ter. a sealed envelope containing true and correct copies of the  
Petition and Evidence in the case of Morgan J. Thomas  
for citizenship in the Creek Nation, addressed to Heparhecher,  
Chief of the Creek Nation at Okmulgee, Ind. Ter. with lawful post-  
age paid thereon, and that Okmulgee I. T. is where the said Chief  
gives his mail.

Given to me and subscribed before me this September 8, 1896.

W. F. Seaver  
Notary Public Northern Dist I. T.

in the Indian Territory:

Your petitioner Margaret A. Thomas, the, undersigned, respectfully states that she is a Muskogee Creek Indian by blood, and asks to be enrolled as a member of the Muskogee Creek Nation of Indians in the Indian Territory. That she derives her said Indian blood from Green B. Kelly, her father, who was a (1/4) one-quarter Creek Indian by blood. Green B. Kelly and his father Tobias Kelly were born in Talladega County Alabama; Applicant was born in Walker County, Ga. Green B. Kelly was a son of Tobias Kelly.

Your petitioner states the above facts as the lawful grounds of her application for citizenship in the Muskogee Creek Nation, and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Muskogee Creek Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 40 years. My Post Office address is Edmondoff, Baxter County, Mo.  
My family consists of the following-named persons: My self, no children, and

|                                     |      |        |
|-------------------------------------|------|--------|
| <u>I desire that evidence in</u>    | aged | years. |
| <u>case of W. W. Kelly et</u>       | aged | years. |
| <u>considered in this case, his</u> | aged | years. |
| <u>case No 578.</u>                 | aged | years. |
| <u>W. W. Kelly</u>                  | aged | years. |
| <u>Atty in demand</u>               | aged | years. |
|                                     | aged | years. |
|                                     | aged | years. |
|                                     | aged | years. |

WITNESS my hand this 27<sup>th</sup> day of August 1896.  
Margaret A. Thomas  
Mark

Personally appeared before me, the undersigned authority, Mrs Margaret A. Thomas to me known to be the petitioner in the above petition, who being by me first duly sworn, upon her oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition, and that the facts stated therein are true, as she verily believes.

Subscribed and sworn to before me at Edmondoff, Baxter County, Mo.  
this 27<sup>th</sup> day of August, A.D. 1896.  
J. C. Carr  
Notary Public in and for  
Baxter County, Mo.

STATE OF TEXAS )  
COUNTY OF BEXAR)

San Antonio, Texas. Aug. 27, 1896.  
Before me, J. C. Carr a Notary Public  
in and for Bexar County, Texas, Personally appeared  
Marshall C. Kelly, and Mrs Josephine Kelly Who being by  
me duly sworn upon their oath depose and say . We are per-  
sonally and well acquainted with Maragaret A. Thomas, whose  
maiden name was Maragaret A. Kelly the daughter of Green B.  
Kelly and grand daughter of Tobias Kelly who was a one  
Half blood Muscogee Creek Indian.

Affiants further state that they know Mrs Margaret A.  
Thomas to be the person she represents her self to be in  
her application for citizenship in said Creek Nation of In-  
dians Witness our hands on this the 27th day of Aug.  
A. D. 1896.

Subscribed and sworn to before me the undersigned au-  
thority on this the 27th day of Aug. 1896.

And I certify that the affiants are responsible and  
creditable persons, worthy of belief; and that I am not in-  
terested in the matter or claim to which these affiants  
relate and support.

Witness my hand and seal of office on this the 27th  
day of Aug. 1896.



Notary Public in and for  
Bexar County Texas.

**End**

CR 146



No. 146

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Heath A. Toon*

VS.

*Orin*

Notion

Received and filed this

day of

189

Secretary

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of

..... vs. .... Nation, as follows:

WITNESS my hand and official seal at *Minneapolis*  
this the *29<sup>th</sup>* day of *January* 189*7*  
*Jas. P. Winston*  
*Clerk*

No 146,

Esther A. Dorn et al

vs.

Creek Nation

Order of Appeal

## NOTICE.

271

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

ss.

In the United States Court for said District.

In the matter of the application of  
**Esther A. Toon et al** to be  
enrolled as citizens of the **Muskogee** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**Esther A. Toon et al**

to be enrolled as citizens of the **Muskogee** Nation, from said

### Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **21st**  
**Jan. 1897.** A.D. 189.....

Clerk.

**End**



Q 147

Muskogee, Indian Territory, October 2, 1906

F. F. Lamb,  
Attorney at Law,  
Okmulgee, Indian Territory.

Dear Sir:

Receipt is acknowledged of your letter under date of September 16, 1906, requesting information as to the status of Creek enrollment case of Elijah D. Turbin.

In reply you are advised that under date of August 6, 1906, there was forwarded to the Department motion to reopen said case, together with affidavits in support of same, filed with this office June 23, 1906, and that said matter is now pending before the Department.

Respectfully,

Commissioner.

826  
147

Muskogee, Indian Territory, August 6, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

The records in the possession of this office show that on September 4, 1896, there was filed with the Commission to the Five Civilized Tribes a petition, supported by affidavits, in the matter of the alleged right of Elijah D. Turvin, Ella D. Turvin and Veda Turvin to citizenship, by blood, in the Creek Nation under the act of Congress approved June 10, 1896 (29 Stats. L. 321) Commission's case No. 147; that the various applications for admission to citizenship filed under the provisions of the act above mentioned were considered by the Commission at its sessions held in Vinita, Indian Territory, on November 10, 1896, and on subsequent dates, and that said petition of Elijah D. Turvin was rejected by said Commission and no appeal was taken therefrom.

-3-

I inclose herewith for Departmental consideration motion to reopen said case, together with affidavits in support of same, filed with this office June 23, 1906.

The statements contained in said motion and in the accompanying affidavits as grounds for reopening differ in no material respect from the facts alleged and set forth in the petition and attached affidavits originally filed in said cause.

It is stated in said motion as one of the grounds for reopening that,

"Your petitioner further says that he has newly discovered evidence to present and which will enable him to establish his citizenship and the citizenship of his two daughters, Ella D. Turvin and Vada Turvin."

It is not set out in said motion what the newly discovered evidence desired to be admitted consists of, nor is there any reason assigned for the failure to introduce such evidence at the time the original petition was filed in said cause.

It does not appear from the records of this office, that, since the date of filing said original application, any application has been made for enrollment of any of the persons above mentioned as citizens of the Creek Nation.

It is not contended by applicants, nor does it appear from the records of this office, that the names of

said applicants, or any of them, are listed upon any of the authenticated tribal rolls of the Creek Nation.

The Department under date of May 21, 1906 (I.T.D. 9114-1906), in the Cherokee enrollment case of Laura E. Akin, et al. ruled that,-

"As the Commission to the Five Civilized Tribes had jurisdiction when it decided, under the provisions of the act of June 25, 1896, (29 Stats. 321), the principal applicant's application for recognition as a citizen of the Cherokee Nation, there could be no continuing application as contended by the attorneys for the applicants."

In an approved opinion of the Assistant Attorney General for the Department under date of September 2, 1904 (I.T.D. 4812-1904), in the matter of the application for the enrollment of James H. Barber, et al., as citizens by blood of the Creek Nation, it was held that,

"As none of the applicants' names appear on the authenticated rolls of 1890 or 1896 they are not within the provision of the act referred to (viz. act of June 25, 1896) and the powers of the Commission under the act of June 25, 1896 (29 Stats. 321) expired under the limitations of the act and by its final adverse action upon the application. . . ."

In view of the facts in the case, and of the Departmental ruling and opinion of the Assistant Attorney General above set out, I am of the opinion that not only



-4-

are said applicants not entitled to be enrolled as citizens of the Creek Nation but that this office is without authority to consider said motion to reopen.

Respectfully,

Through the  
Commissioner of Indian Affairs.

Commissioner.

AG-10

Cr.No.147

JWH

Muskogee, Indian Territory, March 3, 1907.

Elijah D. Turvin,  
Sapulpa, Indian Territory.

Dear Sir :--

You are hereby advised that under date of February 12, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the motion to reopen the application for the enrollment of yourself, Elijah D. Turvin and Vada Turvin as citizens by blood of the Creek Nation.

Respectfully,

Commissioner.

Cr.En.147

JWH

Muskogee, Indian Territory, March 5, 1907.

F. F. Lamb,  
Attorney at Law,  
Okmulgee, Indian Territory.

Dear Sir :--

You are hereby advised that under date of February 12, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the motion to reopen the application for the enrollment of Elijah D. Turvin, Ella D. Turvin and Vada Turvin as citizens by blood of the Creek Nation.

Respectfully,

Commissioner.

Continued.

Respectfully,

Charles H. Hays.

Wife of Hays and wife Hays as citizens of the  
County of Jefferson for the settlement of William D. Hays.  
Competition to the said Hays and wife Hays as citizens of the  
County of Jefferson for the settlement of William D. Hays.  
You are hereby advised that under date of February 15,

Dear Sir:

Oscar B. Hays, Judge, Jefferson.

Attorney at Law.

I am,

Respectfully,  
Judge, Jefferson, March 2, 1905.

W.D.

1876  
Feb #147

COPY

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON

Land.  
7349-1906.

October 30, 1906.

The Honorable,  
The Secretary of the Interior.

Sir: I have the honor to transmit herewith the report of Commissioner Bixby under date of August 6, 1906, relative to the Creek citizenship case of Elijah D. Turvin, et al. Commissioner Bixby reports that the records in the possession of his office show that on September 4, 1896, there was filed with the Commission to the Five Civilized Tribes a petition supported by affidavits in the matter of the alleged right of Elijah D. Turvin, Ella D. Turvin and Vada Turvin to citizenship by blood in the Creek Nation under the Act of Congress approved June 10, 1896 (29 Stats. 321) that the various applications for admission to citizenship filed under the provisions of the Act above mentioned were considered by the Commission at its sessions held in Vinita, Indian Territory, on November 10, 1896, and on subsequent dates, and that the petition of Elijah D. Turvin was rejected by the Commission, and no appeal was taken therefrom.

There is inclosed herewith for Departmental consideration a motion to reopen the case, together with affidavits in support thereof filed June 23, 1906. Commissioner Bixby reports that the claim contained in the motion and the accompanying affidavits as grounds for reopening differ in no material respect from the facts alleged and set forth in the petition and attached affidavits originally filed in this case.

It appears in the motion as one of the grounds for reopening that:

Your petition~~xxx~~ further says that he has newly discovered evidence to present, and which will enable him to establish his citizenship and the citizenship of his two daughters, Ella D. Turvin and Vada Turvin.

It is not set out in the motion what the newly discovered evidence desired to be submitted consists of, nor is there any reason assigned for the failure to introduce such evidence at the time the original petition was filed in this cause. Commissioner Bixby says that it does not appear from the records of this office that since the date of filing the original application any application has been made for the enrollment of any of the persons above mentioned as citizens of the Creek Nation.

It is not contended by applicants nor does it appear on



-2-

the records that the names of the applicants, or any of them, are listed on any of the authenticated tribal rolls of the Creek Nation.

The Department under date of May 25, 1906, (I.T.D. 9114-1906 in the Cherokee allotment case of Laura E. Akin, et al, ruled that:

As the Commission to the Five Civilized Tribes had jurisdiction when it denied, under the provisions of the Act of June 10, 1896, (29 Stats. 321), the principal applicant's application for recognition as a citizen of the Cherokee Nation, there could be no continuing application' as contended by the attorneys for the applicants.

In an approved opinion of the Assistant Attorney General for the Department, under date of September 2, 1904, (I.T.D. 4812-1904) in the matter of the application for the enrollment of James M. Barber, et al, as citizens by blood of the Creek Nation, it was held that:

As none of the applicant's names appear on the authenticated rolls of 1890 or 1895 they are not within the provision of the Act referred to (viz. act of June 28, 1898) and the powers of the Commission under the act of June 10, 1896 (29 Stats. 321) expired under the limitations of the act and by its final adverse action upon the application . . . . .

In view of the facts in the case and of the Departmental ruling and opinion of the Assistant Attorney General above set out, this Office concurs in the decision of Commissioner Bixby that the applicants are not entitled to be enrolled as citizens of the Creek Nation.

Very Respectfully,

C. F. Larrabee.  
Acting Commissioner

EBM-KEN

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

JP.

DIRECT.

SP

D. I. B. 31920-1906

February 12, 1907.

D. I. B.

Commissioner to the Five Civilized Tribes,  
Muskogee, Indian Territory.

Sir:

The Department is in receipt of your letter of August 8 1906, submitting a motion to reopen the case involving the application of Elijah D. Turvin, Ella D. Turvin and Vada Turvin applicants for enrolment under the act of June 10, 1896, (34 Stat., 321) as citizens by blood of the Creek Nation.

It appears that on November 10, 1896, the Commissioner to the Five Civilized Tribes rejected the application and no appeal was taken therefrom.

In accordance with your recommendation and that of the Indian Office in letter of October 30, 1906, submitting your report, the petition is denied.

Even if the petition presented a prima facie case for investigation, the Department, in view of the provision in Section 2 of the Act of April 26, 1906, (34 Stat., 137) relative to the completion of the rolls of the Five Civilized tribes, would not be warranted in ordering a further hearing in this matter. A copy of Indian Office letter is inclosed.

The other papers received with such letter have been returned to the Indian Office.

Respectfully,

Thos. Ryan.

First Assistant Secretary.

Enclosure

Carbon copy and 4 inc. to Ind. Of.

A. F. Mc

2-12-07.

800

Application of  
J. L. Surver for citizenship  
in the State of Illinois

Filed Sept. 4 - 1896

J. S. McKenna  
Clerk

Received of J. L. Surver

the sum of \$1.00 for  
the fee of \$1.00 for the  
application for citizenship

in the State of Illinois

Witness my hand and  
the seal of the Court at  
St. Louis, Missouri,

Personally appeared before me the undersigned, a Notary Public in and for the Northern District of the Indian Territory, W. P. Beaver, who being by me first duly sworn, upon his oath says that he did on the 3<sup>d</sup> day of Sept, 1896, deposit in the United States Post Office at Muskogee, Indian Territory, a sealed envelope containing true and correct copies of the Petition and Evidence in the case of Ed. Lewis et al for citizenship in the Creek Nation of Indians, addressed to Kapahecher, Chief of the Creek Nation, at Muskogee, with lawful postage paid thereon, and that said Office is where the said Chief gets his mail.

Sworn to and subscribed before me this 5<sup>th</sup> day of September 1896.

A. C. Gibson  
Notary Public aforesaid.



in the Indian Territory:

Your petitioner, E. D. Surin, undersigned, respectfully states that he is a Creek Indian by blood, and asks to be enrolled as a member of the Creek Nation of Indians in the Indian Territory. That he derives his said Indian blood from as E. D. Surin who was a Creek Indian by blood. His said brother E. D. Surin was admitted as a full citizen of the Creek Nation by act of Congress as a Creek Indian by blood, I am a full brother of the above named E. D. Surin and we are an Creek Indians by blood.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Creek Nation, and prays that his name may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Creek Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 57 years. My Post Office address is Sapulpa I. T. My family consists of the following-named persons: My self and children, as follows:

|                    |                         |
|--------------------|-------------------------|
| <u>Ella, Surin</u> | aged <u>22</u> years.   |
| <u>Woda, Surin</u> | aged <u>19</u> years.   |
|                    | aged <u>    </u> years. |
|                    | aged <u>    </u> years. |
|                    | aged <u>    </u> years. |
|                    | aged <u>    </u> years. |
|                    | aged <u>    </u> years. |
|                    | aged <u>    </u> years. |

WITNESS my hand this 20 day of August, 1890.

Indian Territory  
Creek Nation

E. D. Surin  
By his attorney  
J. D. Surin

Personally appeared before me, the undersigned authority, E. D. Surin to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Subscribed and sworn to before me at Sapulpa I. T. this 15 day of Aug, A.D. 1890.  
Geo. J. Crother  
Notary Public.



IN THE MATTER OF THE APPLICATION OF E. D. TURVIN FOR CITIZEN-  
SHIP IN THE CREEK NATION OF INDIANS.

United States of America)  
Indian Territory ) SS  
Northern District )

Personally appeared before me the  
undersigned authority, Annie Turvin, to me well known, who being  
by me first duly sworn, upon her oath says as follows:-

I am  
of lawful age. My place of residence is Sapulpa Ind. Ter. I am a  
daughter of G. W. Turvin, and a niece of E. D. Turvin the claimant.  
who is a full brother of my father. We and each of us are Creek  
Indians by blood. I am a citizen of the Creek Nation and a  
member of Hickory Ground town. Ella Turvin and Veda Turvin  
are the daughters of the claimant, and are Creek Indians by blood,  
and should be enrolled in Hickory ground town, as full citizens  
of the Creek Nation, they being Creek Indians by blood.

Sworn to and subscribed before me this August 15<sup>th</sup> 1896.  
Jas. J. Brothers  
Notary Public.

IN THE MATTER OF THE APPLICATION OF E. D. TURVIN FOR CITIZEN-  
SHIP IN THE CREEK NATION.

United States of America)  
Northern District )SS.  
Indian Territory )

Personally appeared before me the undersigned authority, G. W. Turvin, to me well known, who being by me first duly sworn, upon his oath says as follows:-

I am 68 years of age. My Post Office is Sapulpa Indian Territory. I am a Creek Indian by blood, and a citizen of the Creek Nation of the Indian Territory. The claimant E. D. Turvin is my full brother, and is a Creek Indian by blood. Our parents were Indians, and we were born on the old Creek Indian Reservation in Alabama, and were Creek Indians by blood, so much so that the Whites would not permit us to vote in their Elections. We belong to Hickory Ground town, and my name is on the Rolls of the Creek Nation.

My brother, the claimant, is entitled to be enrolled on the Rolls of the Creek Nation as a citizen thereof, as much so as any Creek on earth. Ella Turvin, age 22, and Voda Turvin, age 19, are the daughters of the claimant E. D. Turvin, born to him in lawful wedlock, and are Creek Indians by blood.

Sworn to and subscribed before me this August 15<sup>th</sup> 1896.

Notary Public.

10. The following is a list of the names of the persons who have been appointed to the various committees of the Board of Directors of the American Telephone and Telegraph Company, for the year ending December 31, 1910.

[illegible]

Office of the Director of the  
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Education

Proposed: the system is designed to be major on the

[illegible]

630

THE CHAIRMAN: I think we should have a little more of the spirit of the world now.

Check this box if you are a U.S. resident.

... week in the past. ...

THE CHAIRMAN: I have the honor to acknowledge the receipt of your letter of the 10th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

Chenoweth, J. P. Proof, and

Academy of Arts and Letters, Stockholm, Sweden

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1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

U. S. T. 69

DEPARTMENT OF THE ARMY  
OFFICE OF THE CHIEF OF STAFF  
WASHINGTON, D. C. 20315

United States of America)  
Indian Territory ss.

Be it remembered that on this 28<sup>th</sup> day of Aug  
1896 before the undersigned authority  
personally appeared John Francis who being  
by me duly sworn to. Says C. D. Turvin.  
is a brother of E. W. Turvin by the same  
father and mother, and is a creek Indian  
by blood. E. W. Turvin is on the rolls  
of Hickory pruned town as a full  
citizen of the creek tribe of Indians  
and this claimant is entitled to  
be enrolled as a citizen of the creek  
Nation or member of the Hickory pruned  
town. I am 68 years of age and  
born King of Hickory pruned town  
and a full citizen of the creek Nation  
by blood.

Witnessed by  
O. M. [unclear]  
W. H. Sears

John X Francis.  
made

Subscribed & sworn to before me the  
day & year last above written.

W. H. Sears  
Notary Public

INDEXED:

31278

Lamb, F. F.  
Okmulgee, I.T.,  
Creek Nation,  
July 24, 1906.

Asks that Creek enrollment  
case of Elijah D. Turvin  
be reopened.

CREEK LAND OFFICE,

CREEK ENROLLMENT,



F. F. LAMB  
ADMITTED TO THE COURTS OF  
INDIAN TERRITORY IN 1884

M. M. ALEXANDER

LAMB & ALEXANDER  
LAWYERS

Okmulgee I. T. July 24, 1906

Hon. Tams Pixby,  
Commissioner to the Five Civilized Tribes,  
Muskogee, I. T.

Dear Sir:

Enclosed find two affidavits in Case No. 147 which is the case of Elijah D. Turvin and his two daughters vs The Creek Nation for enrollment as citizens by blood. It seems that this application was denied without giving Mr. Turvin an opportunity to prove his citizenship on account of the old "Alien act" of the Creek Council which was afterwards declared and held to be unconstitutional by the courts of the Creek Nation. This case should be re-opened and an opportunity given to prove citizenship. Trusting that you will forward these papers with the case to Washington,

I remain, Very truly yours,

*F. F. Lamb*

E. D. Tarrance  
Chief Indian  
Agent

U. S. DEPARTMENT OF THE INTERIOR

Office of the Chief Indian Agent

Before the Dawes Commission, Vinita, Indian Territory.

E. B. Turvin,-----Plaintiff,

VS. ( Answer.

The Creek Nation,-----Defendant.

Come the said defendant and denies that the said applicant is entitled to citizenship in the Creek Nation. Says that the said applicant took up land in Oklahoma in preference to applying for citizenship, where now he actually has his home.

He was born beyond the limits of the Indian Territory in the State of Alabama and has never made application heretofore for citizenship before the tribunals of this Nation and has continuously resided outside of the jurisdictional limits of the Muskogee Nation for a period of twenty one years, and is not entitled to citizenship in the Muskogee Nation or to any of the privileges thereof. Jurisdiction of the Commission is herein denied.

S. F. Callahan,

Minnie McIntosh,  
Attorneys for defendant.

S. F. Callahan says that he believes the matters and things set forth in the foregoing answer to be true.

S. F. Callahan

Sworn to and subscribed before me this 22nd day of October, 1896.

Witness my hand and private seal having no official seal.

Lucy M. Rogers (Seal)  
Notary Public.

My Commission expires October 10, 1900.

F. F. LAMB  
ADMITTED TO THE COURTS OF  
INDIAN TERRITORY IN 1884

M. M. ALEXANDER

LAMB & ALEXANDER  
LAWYERS

Okmulgee, I. T. September 16, 06

Hon. Fams Bixby,  
Muskogee, I. T.  
Dear Sir:

In re. Application or Motion of Elijah D. Turvin for re-hearing of Application for enrollment as a Creek citizen by blood, I am informed by my Washington Associate in this matter that the papers have not reached Washington. My understanding was that the case was to be forwarded at once. If there is anything wanting on our part, please advise us at once. In the meantime may we not know what is the status of the case?

Very+ Truly yours,



INDEXED

39979 SEP 17 1906

Lamb/ P. F.  
Okmulgee, T.T.,  
Creek Nation,  
Sept. 16, 1906.

Asks status of Creek  
enrollment case of Elijah D.  
Turvin.

CREEK ENROLLMENT.



**End**

Q 148

No. 3452

In the matter of  
the application of  
George W. Install et al  
for admission to  
Citizenship for the  
Creek Nation

Filed 9 Sept 1896  
H. M. J. J. J. J.  
- Clerk  
Creek Nation

Reports

Museeque  
Ind. N. N.

To The Honorable Dawes Commission of Citizenship in the five  
Civilized Tribes in the Indian Territory:-

Your petitioner, George T. Tunstall, of Mobile, Alabama, states  
that he is a Creek or Muskogee Indian by blood: That he derives  
his indian blood from his mother Louisa Tate Tunstall, whose  
maiden name was Louisa Tate, and who was a half-breed Creek or  
Muskogee Indian. Her father David Tate and sometimes called  
David Copka was the son of Seboy Mc Gillivray, who was an own  
sister of Alexander McGillivray, who was Chief of the Creek or  
Muskogee Nation of Indians, in Alabama, for many years: That his  
grand-father David Tate was of the First family of the Muskogee  
or Creek Nation of Indians of Milledgeville Town, and his wife  
whose maiden name was <sup>Floise</sup> Mary Rankin, was a half-breed Creek or  
Muskogee Indians, and lived in Tassata Town, Muskogee Nation,  
in the State of Alabama, and was the mother of Louisa Tate, your  
petitioner's mother, who was born the old Muskogee or Creek  
Nation in Alabama. Your petitioner further states that he was  
born in the State of Alabama, on the 22nd day of February  
1879. That his post office address is Mobile, Alabama: That  
his family consists of Two children, namely

George Tunstall and Edmund  
Tunstall

Wherefore your petitioner prays that this his petition for cit-  
izenship for himself and two children may be fully investiga-  
ted by your Honorable Commission, and that he and his children  
be adjudged to be citizens of the said Muskogee or Creek Nation  
of Indians, and entitled to all the rights and privileges per-  
taining to such citizenship in accordance with the laws and

2.

treaties with said Nation of Indians.

Shackelford & Shackelford  
Attorneys for Petitioner.

State of Alabama  
Mobile County

George W. Tunstall, being first  
duly sworn of his oath says that he is the George W. Tunstall  
named in the foregoing petition; that he has read the said pe-  
tition, and that the allegations therein contained are true as  
he verily believes.

Geo. W. Tunstall

Subscribed and sworn to before me this 21st day of August  
\_\_\_\_\_ 1896.

J. E. Evin  
Notary Public  
Mobile Ala.



To  
Hon. CHIEF and GENERAL COUNCIL of the CREEK NATION.  
GENTLEMEN:-

I have the honor to most respectfully submit this my application, (with credentials of identity hereto attached,) for recognition as a citizen of the Creek Nation, by your honorable body, entitling me to all the privileges of citizenship, to which I feel I am justly entitled by heritage from my fathers, and trusting my petition will meet with your most favorable consideration, I am,

Most Respectfully

Your ob't servant etc

*George Washington Tunstall*

*Grand nephew of  
William Weatherford*

*Principal Chief of the Creek Nation*

*Submitted in 1812-1814*

*September 28<sup>th</sup> - 1891*

Bulletin of the Smithsonian Institution  
 Vol. 1, No. 1, 1855  
 The G. W. Fendall.

The following is a list of the  
 contents of the first number of the  
 Bulletin of the Smithsonian Institution  
 published by the Smithsonian Institution  
 Washington, D. C. 1855.

The first number of the Bulletin of the  
 Smithsonian Institution contains the following  
 articles:

1. A list of the names of the  
 members of the Smithsonian Institution  
 for the year 1855.

2. A list of the names of the  
 officers of the Smithsonian Institution  
 for the year 1855.

3. A list of the names of the  
 committees of the Smithsonian Institution  
 for the year 1855.

4. A list of the names of the  
 departments of the Smithsonian Institution  
 for the year 1855.

5. A list of the names of the  
 libraries of the Smithsonian Institution  
 for the year 1855.

6. A list of the names of the  
 museums of the Smithsonian Institution  
 for the year 1855.

7. A list of the names of the  
 gardens of the Smithsonian Institution  
 for the year 1855.

8. A list of the names of the  
 observatories of the Smithsonian Institution  
 for the year 1855.

9. A list of the names of the  
 laboratories of the Smithsonian Institution  
 for the year 1855.

10. A list of the names of the  
 workshops of the Smithsonian Institution  
 for the year 1855.

11. A list of the names of the  
 printing offices of the Smithsonian Institution  
 for the year 1855.

12. A list of the names of the  
 bookbinders of the Smithsonian Institution  
 for the year 1855.

13. A list of the names of the  
 engravers of the Smithsonian Institution  
 for the year 1855.

14. A list of the names of the  
 sculptors of the Smithsonian Institution  
 for the year 1855.

15. A list of the names of the  
 painters of the Smithsonian Institution  
 for the year 1855.

16. A list of the names of the  
 architects of the Smithsonian Institution  
 for the year 1855.

17. A list of the names of the  
 engineers of the Smithsonian Institution  
 for the year 1855.

18. A list of the names of the  
 mechanics of the Smithsonian Institution  
 for the year 1855.

19. A list of the names of the  
 chemists of the Smithsonian Institution  
 for the year 1855.

20. A list of the names of the  
 physicists of the Smithsonian Institution  
 for the year 1855.

21. A list of the names of the  
 astronomers of the Smithsonian Institution  
 for the year 1855.

22. A list of the names of the  
 geologists of the Smithsonian Institution  
 for the year 1855.

23. A list of the names of the  
 botanists of the Smithsonian Institution  
 for the year 1855.

24. A list of the names of the  
 zoologists of the Smithsonian Institution  
 for the year 1855.

25. A list of the names of the  
 mineralogists of the Smithsonian Institution  
 for the year 1855.

26. A list of the names of the  
 metallurgists of the Smithsonian Institution  
 for the year 1855.

27. A list of the names of the  
 geographers of the Smithsonian Institution  
 for the year 1855.

28. A list of the names of the  
 historians of the Smithsonian Institution  
 for the year 1855.

29. A list of the names of the  
 philosophers of the Smithsonian Institution  
 for the year 1855.

30. A list of the names of the  
 poets of the Smithsonian Institution  
 for the year 1855.

31. A list of the names of the  
 dramatists of the Smithsonian Institution  
 for the year 1855.

32. A list of the names of the  
 novelists of the Smithsonian Institution  
 for the year 1855.

33. A list of the names of the  
 essayists of the Smithsonian Institution  
 for the year 1855.

34. A list of the names of the  
 biographers of the Smithsonian Institution  
 for the year 1855.

35. A list of the names of the  
 autobiographers of the Smithsonian Institution  
 for the year 1855.

36. A list of the names of the  
 travel writers of the Smithsonian Institution  
 for the year 1855.

37. A list of the names of the  
 military writers of the Smithsonian Institution  
 for the year 1855.

38. A list of the names of the  
 naval writers of the Smithsonian Institution  
 for the year 1855.

39. A list of the names of the  
 political writers of the Smithsonian Institution  
 for the year 1855.

40. A list of the names of the  
 religious writers of the Smithsonian Institution  
 for the year 1855.

41. A list of the names of the  
 moral writers of the Smithsonian Institution  
 for the year 1855.

42. A list of the names of the  
 legal writers of the Smithsonian Institution  
 for the year 1855.

43. A list of the names of the  
 medical writers of the Smithsonian Institution  
 for the year 1855.

44. A list of the names of the  
 veterinary writers of the Smithsonian Institution  
 for the year 1855.

45. A list of the names of the  
 agricultural writers of the Smithsonian Institution  
 for the year 1855.

46. A list of the names of the  
 commercial writers of the Smithsonian Institution  
 for the year 1855.

47. A list of the names of the  
 industrial writers of the Smithsonian Institution  
 for the year 1855.

48. A list of the names of the  
 domestic writers of the Smithsonian Institution  
 for the year 1855.

49. A list of the names of the  
 foreign writers of the Smithsonian Institution  
 for the year 1855.

50. A list of the names of the  
 miscellaneous writers of the Smithsonian Institution  
 for the year 1855.

POOR ORIGINAL -  
 BEST AVAILABLE COPY



POOR ORIGINAL -  
BEST AVAILABLE COPY

The State of Alabama } J. William H. Gasque, Judge of  
Baldwin County } The Probate Court of said County,  
do hereby certify that Charles Don-  
iels is a Notary Public in and for said County  
duly qualified to act as such and that <sup>fully</sup> faith and  
credit are, and ought to be given to his official acts  
as such. Given under my hand and the seal of said  
Court, this 25<sup>th</sup> day of July, 1887.

W. H. Gasque, Judge.

United States of America, :  
Indian Territory, : SS.  
Northern District. :

Marion E. Turvin, being first duly sworn on his oath, says he is a citizen of the Creek or Muskogee Nation; that he is well acquainted with J. D. Dreistach and knows his signature; that the signature attached to the letter giving the pedigree of G. W. Tunstall is genuine and that the statements made in said letter are true as he verily believes.

Marion E. Turvin.

Subscribed and sworn to before me this 8th. day of September 1896.

Wm R Shadelford  
Notary Public Northern District  
Indian Territory.



United States of America, :  
Indian Territory, : SS.  
Northern District. :

Marion E. Turvin , being first duly sworn on his oath says, that he is a Creek or Muskogee Indian by blood, and a citizen of said Nation; that he is well acquainted with George W. Tunstall; that he and the said George W. Tunstall were raised together in the State of Alabama; that the said George W. Tunstall is a Creek or Muskogee Indian by blood; that he derived his indian blood from his mother who was a half-breed Creek or Muskogee Indian; That his mother, Louisa Tate Tunstall, whose maiden name was Louisa Tate, was the daughter of David Tate and Mary Tate, whose maiden name was Mary Randon, both of whom were half breed Creek or Muskogee Indians; That the said George W. Tunstall's family consists of two sons George Tunstall and Edmond Tunstall.

Deponent further says that he has no interest in the prosecution of the claim of George W. Tunstall for citizenship.

Marion E. Turvin

Subscribed and sworn to before me this 8th. day of September  
1896

W. R. Shackelford  
Notary Public Northern District  
Indian Territory.

Okmulgee I. T. Aug. 22<sup>nd</sup> 1896.

The construction of the law found on page 105 edition 1893, by the Supreme Court removes the barrier to citizenship of Marion E. Turvin and his children under the decision of the Citizenship Commission rendered ~~XXXX~~ 17th. July 1895. Therefore that the barrier is removed by ~~XXXXXXXXXXXXXXXXXXXX~~ the Construction of the Supreme Court of the alien act, and Marion E. Turvin, Pleasant F. Turvin, Reta Turvin, Marion Turvin and Beauregard Turvin are hereby declared ~~XXXX~~ full citizens of the Muskogee Nation.

James Colbert

Pres. Cit. Commission

M. McIntosh

Clk'

I hereby certify that the above and foregoing is a full true and complete copy of the original, which has been exhibited to me.

Witness my hand and seal this 8th. day of September 1896.

\_\_\_\_\_  
Notary Public Northern District  
Indian Territory.

The State of Alabama  
Monroe County } Before me  
J. B. Weathered, J. P. of Justice of the Peace in  
and for Monroe County, Alabama, I do hereby  
certify that Charles Weathered is the son of  
John Weathered and Mary Weathered (nee  
Farrar) and the Grandson of  
David Tate, Maria Tate was a Creek  
Indian, said David Tate was a  
son of George L. Tate (father), William Weathered  
and a Creek Warrior & Chief.

Given under my hand and seal of office  
this 25th day of March, 1881  
J. B. Weathered, J. P. of Charles Weathered  
Monroe County } Grand  
Maria C. Farrar, was born and raised  
in Alabama being Alabama and his  
father was, Eliza Farrar, his  
mother was, Charles X. Weathered  
J. B. Weathered  
J. P.

I, J. B. Weathered, J. P. of Monroe County, Alabama, do hereby  
certify that the above is a true and correct  
copy of the original of the same as the same  
was filed in my office on the 25th day of March, 1881  
and that the same is a true and correct copy of the  
original of the same as the same was filed in my  
office on the 25th day of March, 1881  
of my wife, Josephine B. Tate.  
Given under my hand and seal of office  
this 25th day of March, 1881  
J. B. Weathered  
Justice of the Peace  
Monroe County  
Alabama

POOR ORIGINAL -  
BEST AVAILABLE COPY

The State of Alabama, J. W. C. Sawell  
 Monroe County, Judge of the Court of  
 Probate in and for said County in State  
 do hereby certify that John D. Henderson  
 whose name and genuine signature appear  
 to the annexed Affidavit was at the time  
 of attesting the same a Justice of the Peace  
 in and for said County, duly commissioned  
 in practice, and that no such his acts and  
 doings are exhibited in full faith in, and  
 by testimony thereof. I have hereto set my  
 hand, and affixed the Seal of said Court, at  
 office this 2<sup>d</sup> day of April 1891  
 J. W. C. Sawell  
 Judge of Probate

The State of Alabama  
 Monroe County

I do hereby Certify  
 that Charles Henderson & Anna J. Henderson  
 whose names and signatures to the foregoing  
 Affidavits are personally known to me  
 and are Citizens of Alabama  
 J. W. C. Sawell  
 Monroe County  
 Ala.

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 BEST AVAILABLE COPY



Argument of Counsel for Petitioner.

May it please your Honors:-

The testimony in this case, as shown by the affidavits of J. D. Dreisbach and Charles Weatherford and the letter of J. D. Dreisbach supported by the affidavit of Marion E. Turvin; also the affidavits of Marion E. Turvin and J. D. Dreisbach, all of whom have known George W. Tunstall since infancy establish beyond a reasonable doubt that George W. Tunstall is a Creek or Muskogee Indian by blood and that both he and his two sons are entitled to be enrolled as citizens of the Creek or Muskogee Nation, and to share in common with all other Creek or Muskogee Indians the rights and privileges enjoyed by citizens of the Creek or Muskogee Nation. The only question in this case is as to whether the petitioner is barred by Section 295 of the Act of the Creek or Muskogee Council, approved October 26th, 1889. Which said act reads as follows:-

"Section 295. All persons who were born or who may hereafter be beyond the limits of the Indian Territory, and may have heretofore been entitled to make application for citizenship, on account of Indian blood or tribal adoption, and who have continuously ~~resided~~ resided beyond or outside of the jurisdictional limits of the Muskogee Nation for the period of twenty-one years are hereby declared aliens and not entitled to citizenship in the Muskogee Nation or to any of the privileges thereof."

This act is clearly retro-active, and consequently contrary to the Constitution ~~XXXX~~ and laws of the United States, and at variance with Article 4th. of the Treaty of the United States and the Creek or Muskogee Tribe of Indians entered into on the 14th. day of February 1833, which said section or article reads as follows:-

"Article 4th. It is hereby mutually ~~XXXXXXXXXX~~ understood and



2.

agreed between the parties to this Treaty that the land assigned  
" to the Muskogee Indians by the second article thereof, shall  
" be taken and considered as the property of the whole Muskogee  
or Creek Nation, as well as those now residing upon the land as  
" of the great body of said Nation who still remain upon the  
" east side of the Mississippi: ~~XXXX~~ &c, &c. ---- ---- ----"

It will be seen by this article of the Treaty that the land assigned to the Creek or Muskogee Nation of was ceded not alone to those residing on the land but "to the great body of the Nation who still remain on the east side of the Mississippi". as well. There is nothing in the treaty making it compulsory that each and every member of the Creek or Muskogee Tribe should move and reside upon the grant west of the Mississippi, nor did the United States Government ever intend to force said Indian Tribe to remove from their possession east of the Mississippi to the land ceded to them west of said river, but the United States simply conveyed the land west of the Mississippi River in consideration of the relinquishment by the Creek or Muskogee Nation of certain lands east of the Mississippi River. The treaty of February 14th 1833 does not fix any time within which the members of the Creek or Muskogee Nation shall remove to the land ceded west of the Mississippi, but said treaty merely conveyed to all the Creek or Muskogee Nation of Indians, regardless of whether they at the time, or at any time thereafter, lived upon the land west of the Mississippi River, the consideration being the relinquishment of certain lands east of the Mississippi River. This land then became the property in common of the Creek or Muskogee Indians regardless of where they at the time or at any time there-

-after lived, nor can the fact that any member of the tribe has lived in the State of Alabama or been born since in said State divest him of his rights or deprive him of his inheritance. This land being a common inheritance the Creek Council, which simply acts in the interest of the members~~XXX~~ of the tribe living here in the Creek Nation, had no right to pass the act of October 26th. 1889, declaring all persons of Indian blood aliens who have continuously resided beyond or outside of the jurisdictional limits of the Muskogee Nation for a period of twenty-one years. The land being the common inheritance of all the Creek or Muskogee Indians, a legislative body representing a portion of said tribe could not before a partition or allotment of said land pass an act prejudicial to other members of the tribe whom they did not represent. If such were the law then an estate in one of the States ~~could enter into an agreement among~~ ~~themselves that because~~ ~~XXXXXXXXXXXXXXXXXXXX~~ could be distributed between the heirs on the ground, and they could enter into an agreement among themselves that because one or more of the heirs resided beyond the limits of the said State that they would not allow him or them to participate in the division of the estate.

~~XXXXXXXX~~ As is shown by the ~~XXXXXXXX~~ certificate issued by the Citizenship Committee of the Creek Nation to Marion E. Tarvin, said Committee and the Supreme Court of the Creek Nation have both <sup>found</sup> ~~held~~ that the law of October 26th. 1889 is unconstitutional and have held it as such, *as shown by certified copy herewith filed* George W. Tunstall and his two sons, as fully established by the testimony in this case are the direct descendants of the some of the oldest and best families of the Creek or Muskogee Nation,

4.

families whose warriors and statesmen have been identified with the most important events in the history of the Creek or Musko-gee Nation. George W. Tunstall's ancestors both Indian and White are such as any man might well be proud of. He and his two sons are simply knocking and asking for admission to the house of their forefathers, and calling for their common interest in the inheritance; and we submit that they have fully established the fact that they are Creek Indians and entitled to said interest and no law that the Creek Council or any other legislative body could enact could deprive them of the same. All of which is respectfully submitted.

---

United States of America, :  
Indian Territory. : SS.  
Northern District. :

being first duly sworn on his oath says that I have this day examined the original and a copy of the papers, including petition, affidavits and argument of counsel in the case of G. W. Tunstall, who is making application before the Dawes Commission for citizenship to the Creek Nation, and I also saw W. R. Shackelford send the copy by registered mail and receive from the post master receipt No. 258 for the said copy, which receipt is hereto attached.

Chas. W. Wines

Subscribed and sworn to before me this 14th day of September 1896.

William Orr  
Notary Public Northern District  
Indian Territory.



Before the Daves Commission, Vinita, Indian Territory.

George W. Tunstall, for :  
himself and Two Sons :----- Plaintiff.  
George and Edmond Tunstall:

V.S. ( Application for citizenship.

The Creek Nation,----- Defendant.

/ Comes the defendant Nation and for answer says: That the said George W. Tunstall has never been in the Creek or Muskogee Nation, and is a resident and citizen of the State of Alabama. That neither he nor any of his ancestors as shown by his said petition have ever been upon the soil of the Creek Nation west.

- The defendant further answering says: That the allegations in said petition show that petitioner and his sons are residents of the City of Mobile in the State of Alabama, were born in that State and have never lived in the Creek Nation; that the said petitioner has only 1/8 Creek Indian blood and his children have only 1/16 Creek Indian blood and the balance or majority of their blood being white they are by law white persons and native born citizens of the State of Alabama and are not entitled to be enrolled as citizens of the defendant Nation.

- The defendant further says: That the allegations in said petition and proof annexed thereto show that the petitioner and his son family still being residents of the State of Alabama bring them within the provisions of the Act of Congress (Council approved October 26th, 1889, and they are not entitled to enrollment as citizens.

- The defendant says: That the facts stated and set forth in plaintiff's ~~petition~~ application or petition do show that he or his said sons are not entitled to citizenship in this Nation.



set forth in the foregoing answer to the same.

and that he believes the foregoing to be true.

FILED IN 1920  
A. S. McLENNAN  
Clerk of Court

Witness my hand and seal  
this 1st day of May  
1920  
at San Francisco, California

S. E. Callahan,  
Henry McIntosh,  
Ben T. DuVal,  
Attorneys for defendant.

*Henry McIntosh*  
says that he believes the matters and things  
set forth in the foregoing answer to be true.

*Benjamin McIntosh*

Sworn to and subscribed before me this 22 day of Feb 1906  
*Benjamin McIntosh*  
*Benjamin McIntosh*

*My Comm. exp. Oct 1st 1906*

**End**

or 149

To The Honorable Dawes Commission  
on Citizenship in the Five Civilized  
Tribes of Indians in the Indian Territory

Your petitioner W.E. Throckmorton  
undersigned respectfully states  
that he is a member of the Creek  
Tribe of Indians and is a citizen  
of the Creek Nation in the Indian  
Territory by right of marriage, and  
asks to be enrolled as such.  
That he is a white man and has  
been a resident of the Creek Nation  
in the Indian Territory for about  
ix years, but was formerly  
a resident of the state of Texas  
where he met Mrs. M.E. Roberts a  
Creek Indian woman by blood  
whom he <sup>formerly</sup> married, according to  
the laws of the said State of Texas  
Aug. 10<sup>th</sup> AD, 1883, and emigrated to the  
Creek Nation Indian Territory in  
the year of 1890 where he has  
resided with his family ever  
since. That his wife Mrs  
M.E. Throckmorton is a boni fide Creek  
Citizen by blood. That he is recog-  
nized by the Creek authorities as



a citizen of the Creek Nation by  
marriage.

Your petitioners states the above  
facts as the lawful grounds of  
his application for citizenship in  
the Creek Nation, and prays that  
his claim may receive due  
consideration by your Honorable  
Commission, and that his name  
be enrolled on the Hickory Ground Town  
Roll of the Citizenship Rolls of the  
Creek Nation, as a member of  
the said Hickory Ground Town and Tribe  
of Creek Indians in the Indian  
Territory. W E Shrockmister

Subscribed and sworn to  
before me this 9th day of  
September, 1896

Thos A. Parkinson  
Notary Public

United States of America  
Creek Nation  
Indian Territory

J.S.S.

On this 9<sup>th</sup> day of September,  
A.D. 1896, personally appeared before  
me the undersigned authority,  
Mrs W.E. Throckmorton, who being  
duly sworn by me, deposes  
and says That she is the same  
Lady of the Okmulgee Hotel, at  
Okmulgee, I.T. That she was  
formerly a resident of the State  
of Texas, where she formed the ac-  
quaintance of Mr. W.E. Throckmorton  
a white man, whom she after-  
wards married according to the  
laws of the State of Texas, in the  
year A.D. 1873, Aug. 10<sup>th</sup> & with  
whom she has lived ever since.  
That they emigrated to the Creek  
Nation, Indian Territory in the  
year A.D. 1890, where they have  
resided ever since. That she is a  
bona fide Creek Citizen by blood  
and is a member of Kickapoo Town,  
of Creek Indians, That her  
husband W.E. Throckmorton is re-  
cognized as a citizen of the Creek  
Nation by marriage.

(over)

W.E. Throckmorton

Subscribed and sworn to  
before me this 9th day of  
September 1896

Thos A. Parkinson  
Notary Public

4496 17

In the matter of  
W.E. Throckmorton  
claim to citi-  
zenship in  
El Creek Nation  
and  
affidavits of  
W.E. Throckmorton  
and W.F. Roberts  
in support  
of same

FILED SEPT. 9 1896

A. S. MCKENNON

COM 'R'

Rejected

Chmuguyt

United States of America)  
Creek Nation  
Indian Territory / U.S.

On this 9th day of September  
A.D. 1893 personally appeared be-  
fore me the undersigned authority  
W. J. Roberts who being duly sworn  
by me, ~~sworn~~ and says, that  
he is a Creek Citizen by blood.

That he is a Harness and Saddle  
maker at Okmulgee, <sup>Creek Nation</sup> ~~Ind.~~

That about 23 years ago he was  
present and witnessed the marriage  
of his mother Mrs. N. E. Roberts, to  
Mr. W. E. Throckmorton with whom  
she has lived ever since.

That they immigrated to the Creek  
Nation Indian Territory in the  
year A.D. 1890 where they have lived  
ever since. That his mother  
Mrs. N. E. Throckmorton is a boni-  
fide <sup>Citizen</sup> and that his step father W. E.  
Throckmorton is recognized by  
the Tribal authorities of the Creek  
Nation as a citizen by marriage.

W. J. Roberts

Subscribed and sworn to  
before me this 9th day  
of September 1896

Thos A. Parkinson  
Notary Public



There are two results as follows of the study and analysis of the  
evidence, namely that a high correlation exists between the  
data and the area of the distribution of the data. The results  
of the study have indicated the existence of a high correlation  
between the data and the results of the analysis of the data. The  
results of the study are as follows: a high correlation exists between  
the data and the results of the analysis of the data.

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results of the study are as follows: a high correlation exists between  
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The results of the study are as follows: a high correlation exists  
between the data and the results of the analysis of the data. The  
results of the study are as follows: a high correlation exists between  
the data and the results of the analysis of the data.

Before the Dawes Commission, Vinita, Indian Territory.  
W. E. Throckmorton, a White man,----- Plaintiff.  
vs. ( Petition to be enrolled.  
The Creek Nation,-----Defendant.

1. Comes the said defendant and says that the plaintiff in this case is a White man and a citizen of the United States and claims the right to be enrolled as a citizen of the Creek Nation because of the inter-marriage with a Creek woman, a native citizen thereof. The said defendant avers and says that the said plaintiff is not entitled to enrollment because said plaintiff did not by such marriage become a citizen of the Creek Nation under the laws, customs and usages of said Nation and of the Treaties between defendant and the United States.

2. The defendant further says that the plaintiff does not state facts in his said petition and affidavits thereto attached sufficient to entitle him to be enrolled as a citizen of the said defendant Nation.

3. The said plaintiff has not filed with his said petition evidence of his said inter-marriage.

*This is true to the best of my knowledge and belief.*  
S. P. Callahan,

Bunny McIntosh,

Ben T. DuVal,  
Attorneys for def't.

*Bunny McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bunny McIntosh*

sworn to and subscribed before me this 22<sup>nd</sup> day of October 1896

*Commissioner of the Dawes Commission*  
*J. E. H. Rogers*  
*1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100*

**End**

Q 150

State of Kansas  
County of Osage

Page 1

Question: What is your name?  
Answer: Arthur Gordon  
Q: What is your age?  
Ans. 26  
Q: Where was you born?  
Ans. In Green County Ia near Greensboro.  
Q: Have you any children and what are their names?  
Ans. Yes 4. 2 Boys - 2 Girls.  
The Boys are named Edwin Gordon + William Gordon.  
The Girls are <sup>Emma</sup> Eliza Gordon + <sup>Mason</sup> Mary Gordon.  
Q: Have you any grand children and what are their names?  
Ans. Yes 10. 4 Boys and 6 Girls.  
Their names are Arthur Gordon, Luther Gordon, Solomon Gordon + David Gordon are the Boys.  
The Girls are Jessie Gordon, Mattie Gordon, Anna Mason, Minnie Mason, Ella McCaughey, Marivisa Griffin.  
Q: Have you any Great grand children + what are their names?



Page 2

Ans.

Yes 3 Boys Their names are  
James McCaugh Jack McCaugh  
Robert McCaugh

Q

You are a relative of what  
Tribe of Indians?

Ans.

Cherokee.

Q

What are the names of your  
Ancestors whom you believe  
your Indian blood?

Ans.

Both my Mother Caroline  
and my Father Eliza & Dorman  
were relatives to the Cherokee  
Indians.

Q

What do you know about your  
grand parents concerning them  
as full blood or half blood?

Ans.

My Grand Father on Mother's  
side was a full blood I saw  
him when I was 10 or 11 years old  
I do not know about the others.

Q

What can you say of your  
Grand Father whom you seen?

Ans.

He was shabby looking but  
seemed to be healthy he was  
closed up most of the time.  
In those days I paid little or no  
attention to him. My Father  
was dead & my Mother was living  
on a man's place or with a man  
named Watson who kept me with  
him most of my time rambling.

Page 3

Q

Where did your grand parents  
live?

Ans.

I do not know. My Mother said  
they was scattered over Georgia  
Where did they die?

Q

Ans.

I do not know.

Q

Where did your parents live?  
In Georgia.

Ans.

Q

Where were they born?

Ans.

My Mother & she was born in  
Ga. My Father died when I was  
a small boy & I know very lit-  
tle about him.

Q

Where did your parents die  
and when?

Ans.

I can't say just where Father  
died But Mother died at  
Milledgeville Ga. where I  
left her after the war for ever  
where I have been ever since  
But more than a score of years  
ago I received letters that she  
was dead and today I find out

Q

What degree of Indian blood  
was your Mother and Father?

Ans.

My Mother was 3/4 or nearly a  
full blood My Father was only  
about half breed Mother said.

Page 4

Q

ans.

Q

ans.

Ex  
r  
f  
c

What degree of Indian was I  
I am not sure I was not  
Am I an Indian man.

How is it that you have your  
name Mike Wilson and put  
in an affidavit in the  
name of John Wilson?

I was asked by the  
my father died in the  
telling you a man's business or  
with a man name Wilson who  
called me Mike Wilson  
very long before I was  
calling Mike Wilson and  
the Wilson business is  
as I was asked by the

Signed Mike Wilson

Subscribed and Sworn to  
before me this 8th Day  
of September 1876

J. Stokes  
Notary Public  
Commission Expires May



**REGISTRY RECEIPT.**

Post Office at Humphrey Ark

Registered Letter No. 8 Rec'd Sept 7 1894

of Mike Watson  
Humphrey Ark

Addressed to Hon Chief a Gov of Cherokee Nat  
Tahlequah I Ter

J. H. Stillwell P.M.

Humphrey Ark. Sept 7. 1894

To The Hon. Body & Commission of Indian Affairs  
Minneapolis Minn. Oct

Gentlemen: Having learned by your pamphlet of July 26<sup>th</sup> 1894. That your Body are the proper body for applicants to make application for Indian citizenship in the U.S. I am Indian by blood. Knowing this I have application to you & and to all whom it may concern for recognition as an Indian citizen. Existing evidence may prove that my name should be placed on the rolls as such. Regarding these facts you will find enclosed evidence which please allow some space in your valuable time of hearing & considering such. If I am needed in support of my fact or more evidence is needed at the hear. I will blank. Yours truly --- Mike Watson

Enclosed find receipt  
receipt which is to certify  
that I have in my pos-  
-sessed by receipt of same  
a copy of the Application  
and evidence to the Chief  
- of Gov. the Cherokee Nation  
at Tahlequah T. S. also  
find stamps for registra-  
-tion

Yours truly  
J. Mike Watson  
Humphrey Ark.  
Sept 7. 1898



**End**

QR 151

No 154

Receipt for original  
patent in case of

Isaac Walker

vs  
Creek Nation

Filed with  
15  
1897  
secty

IN THE UNITED STATES COURT, INDIAN TERRITORY, NORTHERN DISTRICT.

Received of A. L. Aylesworth, Secretary of the Commission to  
the Five Civilized Tribes, the original papers in the case of  
Isaac Walker versus the Creek Nation, being an application for  
citizenship, No. 151.

*Jas. A. McIntosh* Clerk  
*Wm. M. Mundy* Deputy.

No 10-1

Isaac Walker

Creek Nation  
order of appeal.

Dec 17-1827



268

United States Court  
in and for the  
District of Muskogee  
In the matter of the  
case of Isaac Walker

The Muskogee Nation  
Application for Enrollment  
as a tribal citizen of the  
Muskogee Nation before  
the Court to treat with  
the Five Tribes on appeal  
as Jacob and Isaac Walker  
Case vs The Muskogee  
Nation No 151

It is ordered by the Court  
that the Court to treat with  
the Five Tribes send to this  
Court the record & papers  
in the case of Isaac  
Walker vs The Muskogee  
Nation. Herein said Court  
to treat with the Five Tribes  
shall fail not

Witness the hand of the Court  
this 17th day of Dec. 1897  
J. W. Thompson  
By Thompson

End

QR 152

No 152-

Jacob Walker

vs.

Creek Nation

Order of Appeal



## NOTICE.

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

ss.

In the United States Court for said District.

In the matter of the application of  
**Jacob Walker** to be  
enrolled as citizens of the **Muskogee** Nation.

TO THE **Commission to the five civilized tribes:**

You are hereby notified that an appeal has been taken in the matter of the application of

**Jacob Walker****Muskogee**to be enrolled as citizens of the **Commission** Nation, from said

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **21st** day of  
**Jan. 1897.** A.D. 189

Clerk.



152

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Jacob Walker

VS.

Orin

Notion

Received and filed this

day of

189

Secretary

v8

...Nation, as follows:

Witness my hand and official seal at.

this the 29<sup>th</sup> day of

1897

Geo. A. Winston  
Clerk.

**End**

or 153

Application of  
John W. Washington  
and his four minor  
children for  
Citizenship in  
the Creek Nation



To the Honorable Commission appointed  
by act of Congress to treat with the five  
Civilized tribes of Indians, Commonly  
Known as the Dawes Commission:

John W. Washington hereby  
makes application for himself and  
his four minor children Tawit  
Aringo, age five years, a Male,  
Rose Ettha, female, age 4 years  
Frederick, Male age 2 "  
David, Male age 8 Months,  
to be enrolled as citizens of the Creek  
Nation, Indian Territory, and as grounds  
for said application he respectfully  
represents: He was born in the State  
of Alabama in the old Creek Indian Country  
about the year 1831, that he was born the  
slave of one John Barnett who was a  
full blood Creek & Khe Indian and member  
of the Creek tribe of Indians.  
That your applicant was brought by his  
Master John Barnett to the Creek Nation  
Indian Territory when your applicant was a  
boy about 12 years old, and that he came  
to the Creek Nation Indian Territory as the  
slave of the said John Barnett,  
That he remained the slave of the said  
John Barnett until the 12 day of March 1863  
at which time he joined the United States  
Army and at Vicksburg Mississippi  
and served as a soldier of the United States

1 in the ~~the~~ civil war between the States until  
2 in the fall of 1865 when he was mustered  
3 out of service and given an honorable  
4 discharge. That he then returned to the  
5 Creek Nation Indian Territory and arrived  
6 in said Nation & Territory in the month  
7 of December 1865. That at the time the  
8 Treaty between the United States Government  
9 and the Creek Nation was made in 1866.  
10 Your applicant was temporarily absent  
11 from the Indian Territory, and was in  
12 the State of Arkansas. That after the making  
13 of said Treaty, he returned to the Creek Nation  
14 Indian Territory before the close of the year  
15 1866. That he has resided in said Creek  
16 Nation Indian Territory since his return  
17 in the latter part of 1866, with the  
18 exception that he temporarily resided in  
19 the State of Arkansas during a part of the  
20 year 1893 and a part of the year 1894.  
21 Your applicant together with his family  
22 now live in the Creek Nation Indian Territory,  
23 on a farm, and has all along since  
24 1866 resided and lived in said Creek  
25 Nation with the exception of part of the  
26 years 1893 & 4. he was temporarily absent  
27 from the State of Arkansas as aforesaid.  
28 That Your applicant is a married man  
29 and he is now the father of four minor  
30 children the issue of said marriage to wit:  
31 Bringo, a male five years of age  
32 Rose Ettha a female 4 years " "  
33 Frederick a male 2 " " "  
34 David " " 8 months of age



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that all of said minor children are living  
and reside with your applicant in the  
Creek Nation Indian Territory.  
Wherefore your Applicant prays that  
he and his aforesaid four minor  
children be enrolled as Citizens of the  
Creek Nation Indian Territory.

I, John W. Washington do solemnly swear  
that I am the applicant named in  
the foregoing application for Citizenship  
and that I know the contents of said  
application and the allegations therein  
contained are true and correct.

Witness  
Chas. W. Weise

John W. <sup>his</sup> Washington  
mark

I, B. Neilly  
Subscribed and sworn to before me on this  
the 31<sup>st</sup> day of August 1896. In testimony  
whereof I witness my hand and seal this  
the day and date last mentioned

J. A. Rex  
Notary Public  
Southern District  
Indian Territory

Application of  
John W. Washing.  
for  
Citizenship in  
Creek Nation  
Affidavit of  
John W. Washington

United States of America }  
Indian Territory }

Now on this 31<sup>st</sup> day of  
August, A.D. 1886, before me the undersigned  
authority, personally appeared, **John**  
W. Washington, who having been  
first duly sworn, deposes and says:-  
My name is John W. Washington  
and my present home is in the  
Creek Nation Indian Territory. I  
was born in the Creek Nation in Alabama  
about the year 1831. I bring now of the  
age of sixty-five. I was born as a slave  
of one John Barnett who was a full  
blood Indian and a citizen of the  
aforesaid Creek Nation in Alabama.  
He was Creek & Euchee Indian mixed  
and was a recognized citizen of the  
Creek Nation and on the Rolls of  
said Nation. I lived with John  
Barnett as his slave all the time  
he remained in Alabama, and  
when the Creeks removed from  
there and came to their present  
Reservation in the Indian Territory,  
John Barnett removed with them,  
and I came along with my master  
John Barnett and we settled in  
the Creek Nation, Indian Territory,  
and John Barnett lived in the Creek  
Nation Indian Territory from the time



he arrived here until he died, which was some time after the War, and I lived with him as his slave until the year 1863 when I went to Vicksburg and joined the Army there on the 12<sup>th</sup> day of March 1863 and remained in the service until the Fall of 1865 when I was mustered out and I then returned to the Creek Nation Indian Territory, arriving there before the end of the year 1865, and have made the Creek Nation Indian Territory my home ever since.

I recollect the treaty between the United States and the Creek Nation, <sup>made in 1866</sup> by which the Creek Freedmen were given equal rights with the Indians in the Creek Nation, and I had returned from the Army and taken up my residence in the for said Creek Nation prior to the promulgation of that treaty, but was temporarily absent in the State of Arkansas at the time it was made, but returned to the said Creek Nation <sup>in the</sup> latter part of the year 1866 and within the time allowed for such return, and have resided here ever since, with the exception of a part of the years 1893 and 1894 during which time I was temporarily residing in the State of Arkansas.

I have made several attempts ~~before~~ to have my case brought up before the Creek Council, but owing to the fact that my witnesses were separated and scattered I have been unable to have them brought there.

FRAME I

In the year 1886 I married my present wife and have had by her the following issue, all of which are living with me, and are minor children. Their respective names and ages are as follows, to wit: - Ailinga, a male, age, five years; Rose Ettha, a female, age, four years; Fredrick, a male, age, two years; and David, a male, age, eight months.

Witness: Chas. M. W. J. W. Washington

J. H. Kelly

Subscribed and sworn to before me by the said John W. W. - after the same had first been carefully read and explained to him on the 24<sup>th</sup> day of August 1894

equal rights with the Indians of the Creek Nation, and I had returned from the Army and taken up my residence in the aforesaid Creek Nation prior to the promulgation of that treaty, but was temporarily absent in the State of Arkansas at the time it was made, but, returned to the said Creek Nation <sup>in the</sup> latter part of the year 1866 and within the time allowed for such return, and have resided here ever since, with the exception of a part of the years 1893 and 1894 during which time I was temporarily residing in the State of Arkansas.

I have made several attempts ~~to~~ to have my case brought up before the Creek Council, but owing to the fact that my witnesses were separated and scattered I have been unable to have them brought there.

In the year 1886 I married my present wife and have had by there the following issue, all of which are living with me <sup>in the Creek Nation S.T.</sup> and are minor children. Their respective names and ages are as follows, to wit: - Aringo, a male, age, five years; Rose Ettha, a female, age, four years; Fredrick, a male, age, two years; and David, a male, age, eight months.

*John W. Washington*  
Subscribed and sworn to before me by the said John W. Washington after the same had first been carefully read and explained to him on this the 31<sup>st</sup> day of August A.D. 1892

J. A. Rex  
Notary Public  
Northern District Indian Territory

FRAME 2



Application  
of  
John W. Washington  
Citizenship in  
Creek Nation.

Affidavit of  
Samuel Barnett  
~~Samuel Barnett~~

United States of America  
Indian Territory

Now on this 28<sup>th</sup> day of July  
A.D. 1896, ~~come~~ before me the undersigned  
authorly, personally appeared Samuel Barnett  
who after having been by me first duly sworn,  
deposes and says, -

My name is Samuel Barnett, and I am  
a citizen of the Creek Nation, having been  
a slave of one Nancy Barnett who was  
a citizen of the Creek Nation and when  
I was set free after the war I was  
admitted to the Creek Tribe as a free man  
I was born in Alabama before the Creek  
Indians removed from there and when  
they came to this country I came  
with them and was at that time about  
fourteen or fifteen years old.

I was placed on the Creek Roll in May  
of 1867 and have always been recognized  
as a Creek Citizen.

I have known John W. Washington  
the applicant for about forty years, ever  
since he was a young man. He is now  
about sixty-five years old. I know  
that John W. Washington was born in  
the Creek Nation in Alabama, and  
that he was a slave of John Barnett  
who was a Creek Indian by blood and  
who was at that time a citizen of the  
Creek Nation.

The Barnett family was a large one and they were all Creek Citizens, being of Creek and Enche blood mixed. Among some of John Barnett's brothers and sisters all of whom were full blood Indians, are the following: Nancy, Peggy, Tom, Mary, Hester, Jackie, Billie, Roche and Lucy. John Barnett and his family and part of the above named brothers and sisters removed with the Creeks from Alabama to this country and at that time John W. Washington the present applicant for citizenship was a slave of John Barnett's and came with his master to this country, and when I came here after the war from the Army where I had been with some Creek Indian soldiers I found John W. Washington living here and he has made the Creek Nation of the Indian Territory his home ever since. I can remember the talk of the treaty of 1866 and was put on the roll in May 1867 and know that John W. Washington was in the Creek Nation at that time and that he has lived here ever since. I further state that when a slave, John



W. Washington was under an  
Indian Master, John Barnett.  
I am in no way related to  
the applicant John W. Washington.  
Witness  
Chas von Weiss  
Samuel <sup>his</sup> X Barnett

Subscribed and sworn to before me  
on this 28<sup>th</sup> day of July, 1896.

Chas. von Weiss  
Notary Public  
Northern Dist. Ind. T<sub>y</sub>

Cm. Ex. March 1<sup>st</sup> 1897

No 665-

Application  
of  
John W Washington  
Citizenship in  
Creek Nation

Affidavit of  
Andrew Sullivan

Filed Sept 3-1894

A S McKenna  
Clerk

R. V. Peter

United States of America }  
Indian Territory }

Before me the undersigned authority on this day personally appeared Andrew Sullivan who after having been by me duly sworn depose and says, I am about eighty five years old, am a citizen of the Creek Nation, I was born in Alabama and came to the Territory when I was something over 20 years of age. I have known John W. Washington the applicant for about fifty years, ever since he was a boy. He is now about sixty five years old. John W. Washington was born in the Creek Nation in Alabama. He was a slave of John Barnett, who was a Creek Indian by blood and a citizen of the Creek tribe of Indians. There was a large family of these Barnetts and they were Creek and Euchee Indians mixed. John Barnett had several brothers ~~and~~ <sup>sisters</sup> Dave, Tom, Nancy, Hepsie, Locka, Lezie, Lucy, Jackie, Billie. All of which were full blood Indians. John Barnett and his family and some of his brothers and sisters came here when the Creek Indians moved from Alabama to this Country. John W. Washington the applicant who was a slave of John Barnett came to this Country from Alabama with his master John Barnett. I have been knowing John W. Washington ever since he came to the Indian Territory.

The Creek Nation Indian Territory has been  
the home of the said John W. Washington since  
he came here with his master John Barnett.  
He left the Creek Nation and went to the  
Army in 1863 and came back to the  
Indian Territory and settled in the Creek  
Nation. I recollect the treaty of 1866  
made between the Creek Nation and the  
United States Government, and I know  
that John W. Washington had returned to  
the Creek Nation Indian Territory  
prior to the making of this treaty,  
and he has lived here since then.  
~~John~~ I am not related to John W. Washington  
~~John~~ <sup>W. A. Gibson</sup> Auditor <sup>and</sup> Sullivan  
Subscribed and sworn to before me on  
this the 2<sup>nd</sup> day of July 1896.  
W. A. Gibson  
Notary Public  
Houston Dist. Tex.



REGISTRY RECEIPT.

Post Office at \_\_\_\_\_

Registered Letter Parcel No. 1244 Rec'd. 9/1 1896

of Chas Von Heise

Muscogee Co.

addressed to Hon J. Parkhurst

Adams Co.

Sept 1st P.M.



United States of America  
Indian Territory

I, J. B. Neelly do solemnly swear that on the 1<sup>st</sup> day of September A. D. 1896 I saw a package registered at the Post Office at Muscogee, addressed to Sapachee, the Principal Chief of the Creek Nation, I. T., that registry receipt No 134, received from the Postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of John W. Washington and of the affidavits of Samuel Barnett and Andrew Sullivan in support of the same. That I am not interested in the application of the John W. Washington

J. B. Neelly  
Subscribed & sworn to before me on this day of September, A. D. 1896

N. A. Gibson  
Notary Public  
Northern District Ind. Ter.

In the United States Circuit Southern Dist.  
Indian Territory:

Wp

**End**

CR 154

(Kinsulge H. Sept 3<sup>rd</sup> 1896  
To whom it may concern:  
Know ye, That C. C. Morlon, an  
attly at Law, of this town, has  
personally appeared before me  
Fred. C. Parkinson a Notary  
Public, and deposes and says,  
"I have this day, mailed to  
The Hon. S. C. Wells (Commissioner  
at Wichita Ind. Ter. all the  
papers that have been filed in  
my Office by Citizenship Claim-  
ants, relative to the following  
named claimers:

- Claim No. 1. "Anelia Sutton's claim to citizenship  
in the Creek Nation of Indians."  
" " 2. "Easter Walkers, Claim to Citizenship  
in the Creek Nation of Indians."  
" " 3. "Tom & Charlie Alexanders Claim to  
citizenship in the Creek Nation of Indians."  
" " 4. "Charlotte Walls claim to citizenship  
in the Creek Nation of Indians."  
" I have also, this day mailed  
to Hon. Riley M. Dutoch, Second  
and actg. Prin Chief of the M. N.  
a duplicate of each of the above  
mentioned claims with all  
the papers relative thereto as  
above said."



Signed:-

O. A. Maston

Subscribed and Sworn to  
before me this 3<sup>rd</sup> day of  
September, 1896

Fred A. Parkinson

Notary Public

Muskogee St. Aug. 22<sup>nd</sup> 1896  
To The Hon. Indian Commission  
Poncha Ind. Ter.

Gentlemen, Acting for myself  
and as agent for my children and  
grand children, I have the honor  
of placing before your Honorable  
Commission our Application, asking  
for recognition and enrollment  
as citizens of the Muskogee or  
Creek Nation.

We claim a right to citizenship  
in the <sup>Muskogee or</sup> Creek Nation by virtue of  
the Creek blood which courses through  
our veins. My mother, Linnie Pickens  
was a Full-blood <sup>Creek</sup> Indian of the  
Ile-wa-the Town in Alabama and  
was the descendant of Winnie Chubba  
and Serwaikie who were both  
Creek Indians of the Ile-wa-the Town.  
My name is Charlotte Walls, My  
P.O. Address is Elk Ind. Ter.

I am about (65) years old and  
my family consists of the following  
named parties: - Myself, Charlotte Walls,  
(son) Algie Walls, (Daughter) Winnie  
Walls, Carrie Walls, Alzada Walls,  
Harana Walls and Adella Walls. (son)  
John Walls, (Daughter) Ida Carter and

Children, Mary Carter, Affairs  
Carter, (Daughter) Nora Lee and children  
O solo, Lee, Tommie Lee, Ethel  
Lee, (Daughter) Ada Austin and  
children, Lattie Austin, Mollie Austin  
Jimmie Austin, Leon Austin,  
(Daughter) Mary Jones, Austin Jones  
Jimmie Jones, Charlene Jones  
William Jones, Lucy Jones, Tony  
Jones, and Johnnie Jones, (Daughter)  
Harriet Hooks, and children, J. H. Hooks,  
George Hooks, John W. Hooks, Lattie  
Hooks, Kattie Hooks, Jake Hooks,  
Annie Hooks, Daisy Hooks, Lenny  
Hooks and Antry Hooks and  
William Walls.

Charlotte Haver<sup>her</sup> +  
Mark

Attest

P. K. Morton,

O. A. Morton

Subscribed and sworn to  
before me this 22<sup>nd</sup> day of  
Aug. 1896

Thos A. Parkinson  
Notary Public

Kennelga T. Aug. 22<sup>nd</sup> 1896.  
To whom it may concern:  
Know ye, that Cathron Johnson  
of McDermott T. has this day  
personally appeared before me.  
Fred. A. Parkinson, a Notary Public  
in support of Charlotte Walls claim  
to citizenship in the Creek Nation  
and deposes and says I know  
Charlotte Walls and have known  
her for many years, ever since  
she was a child, and know her  
to be the daughter of Sammie Ricks  
who was a full-blood Creek Indian  
woman of Okla. wa. the Lower in  
Alabama. I knew Sammie Ricks in  
Alabama and know that she was  
a Creek Indian.

My name is Cathron Johnson.  
I don't know how old I am but  
I think I am about (40) years  
old.

Cathron Johnson <sup>his</sup>  
~~hand~~

Attest

P. K. Morton,

O. U. Morton

Subscribed and sworn to before  
me this 22<sup>nd</sup> day of Aug. 1896

Fred. A. Parkinson  
Notary Public



Attest Aug 22<sup>nd</sup> 1896.  
To whom it may concern:  
Know ye, That Mary Ann Grayson  
a Creek Citizen of Hillabee Town on  
has this day personally appeared  
before me, Fred A. Parkinson  
a Notary Public, in support  
of Charlotte Walls claim to citizen-  
ship in the Creek Nation, and  
deposes and says, I know  
Charlotte Walls of my own per-  
sonal knowledge and was per-  
sonally acquainted with her  
parents, having lived near them  
in Alabama for about (15) or  
(16) years, I knew her grand parents also.  
Charlotte Walls Grand parents were  
both Full-blood Creek Indians and  
talked the Creek Language, They  
lived near where we did and  
they use to visit my Mistress  
Lizzie Grayson constantly, their  
names were, Mennie Chubba,  
and Swaikkie, and their daugh-  
ter Laimie, was the mother of  
Charlotte Walls. Laimie was a  
full blood Creek Indian and this  
woman Charlotte is a half breed,  
Creek, her mother and grand



parents belonged to Oklawaha  
Town, in Alabama

My name is Mary Ann Grayson,  
I don't know how old I am, but  
I was the mother of two children  
when the Creeks moved to this  
country. My P.O. Address is Ok-  
mulgee St. I have no interest  
in prosecuting the said Charlotte  
Wells claim to citizenship here.  
Attest } Signed Mary Ann Grayson <sup>by</sup>  
P.K. Morton, <sub>Mort</sub>  
O.A. Morton.

Subscribed and sworn to before  
me this 22<sup>nd</sup> day of August 1846  
Fred A. Parkinson  
Notary Public

Wm. J. May 31<sup>st</sup> 1846  
To The Hon. David Commissioner  
Gentlemen, Acting as atty.  
for Mrs Charlotte Walls in  
representing to your Honorable  
Commission, her claim to  
Citizenship in the Creek Nation.  
I beg to offer the following re-  
marks concerning her claim.

It is useless for me to say  
that the country was then  
as the Creek Nation was, in  
the year of (1833) patented to the  
whole Muskogee or Creek Nation  
as well as those then residing  
upon the land as of the great  
body of said Nation who still  
remained on the East side of  
the Mississippi, you will ob-  
serve therefore, that those who  
taken allotment, East of the  
Mississippi, did not take  
them in lieu of their claim or  
landed interest West of the Mis-  
sissippi, but every member  
of the Creek Tribe, whether East or  
West of the Mississippi, properly  
held and claimed an interest  
in the Creek Country West of the

Mississippi. And in order to receive an equal interest in the said Creek Country, they have only to identify themselves as being descendants of Creek Indians who lived and held an interest in the Creek Country East of the Mississippi river, and was recognized as members of the Creek Tribe then.

You will observe from the statement of Mary Ann Grayson a boni fide Creek Citizen who came from Ala. here with the Creeks, that Charlotte Wall's mother was a Full Creek Indian woman being a descendant of two Full Creek Indians of Tle-wa-thle Town, in Alabama. But Mary Ann Grayson is borne out in these statements by Catherine Johnson, another old lady of Alabama formerly, but now of Indian Territory.

I have no comment to make concerning this case, only to say that I think and really believe the claimants are Creek Indians, I desire however that

you be governed by the evidence  
submitted in the case, and sin-  
cerely hope you will thoroughly  
consider the evidence given in  
support of the said claim, and  
decide accordingly.

Soliciting your kind and tender  
treatment of my child I beg  
to remain,

Sincerely yours  
O. A. Morton Sawyer  
Knoxville TN

1844

~~100~~ 907

In the matter of  
Charlotte Walla  
Claim to Citizenship  
in the Creek Nation  
of Indians.

Filed Sept 5-1844

A.S. McKinnon  
Clerk

Rejected



...the ... ..

... ..

... ..

... ..

... ..

Before the Dawes Commission, Wichita, Indian Territory.

Charlotte Walls, for :  
herself and descendants :-----Plaintiffs.  
VS. ( Answer.  
The Creek Nation,-----Defendants.

The defendant in answer says: That it appears from the statements set forth in plaintiffs application that she now is a resident of the Chickasaw Nation and it does not appear when she was born or whether she ever resided in this Nation or has ever made application for citizenship here on account of blood; altho she states that she is 65 years old and has 45 descendants whom she asks now to be admitted to citizenship.

It further appears that the witnesses whose affidavits she relies upon to support her claim are too very old women and whose knowledge of her family extend back to her grand parents but fail to connect her with any known Creek family. Neither of them appear to be native or citizens of this Nation by birth and blood and are not competent witnesses to establish the right of the said applicant and her descendants to citizenship.

Wherefore the defendant says that the said applicant and her descendants are not Creek Indians under the laws of this Nation and are not entitled to citizenship therein or to any of the privileges thereof.

E. R. Callahan,  
Attorney for defendant.

*Proven in evidence*

says that he believes the matters and things set forth in the foregoing answer to be true.

*James M. Adair*

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_ 1896.

*Notary Public for Oklahoma*

*James M. Adair*

**End**

CR 155

No 155<sup>24</sup>

Mary L. Masson et al

vs.

Creek Nation

Order of Appeal

U.S. Court



NOTICE.

#235

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

In the United States Court for said District.  
In the matter of the application of  
Mary L Wassom et al  
to be  
enrolled as citizens of the Creek Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Mary L. Wassom et als

Creek

to be enrolled as citizens of the Nation, from said  
Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested  
by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a  
transcript of all the entries made in the docket of your tribunal relating to the case, together with the  
depositions and testimony taken before said tribunal; the decision thereof on the application, and all original  
papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 19th  
Jan. 1897. A.D. 189

Clerk.

No. 155

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Mary A. Nasson Ekell

VS.  
Orrin J.

Nation.

Received and filed this

day of

189

Secretary.

BRATTLE STREET, PORT SMITH.

..... vs..... **Nation, as follows:**

[illegible]

WITNESS my hand and official seal at Muscoy  
this the 26<sup>th</sup> day of January 1897  
Jas. A. Linton  
@ Clerk

**End**

CR 156



## Application for Citizenship

To the Honorable Dawes Commission  
of Indian Affairs. At, Vinita, I. T.

Attention - The undersigned Your  
petitioner this day makes this his  
Application for Citizenship in the Creek  
Nation in the Indian Territory, in  
accordance with the Constitution and  
Laws of said Nation, and respectfully  
states the following statements of the  
grounds of this his Application to wit:  
That Thomas Waller Weatherford is the son  
of one John Dyer Weatherford who the  
undersigned fully believes was an Indian  
belonging to said tribe.

The undersigned hereby presents the above  
facts as the lawful grounds for this  
his Application for his Citizenship by  
blood, and respectfully awaits the time  
when his Application shall be truly-  
heard and tried. Respectfully Submitted,  
Age 28 Years, Postoffice, Mt Pleasant, in  
Howard County, Alabama

| No | Names                     | Sex    | Age | Relationship |
|----|---------------------------|--------|-----|--------------|
| 1  | Thomas Waller Weatherford | male   | 28  | Father       |
| 2  | Rosa Dyer Weatherford     | female | 20  | Mother       |
| 3  | Agnes Weatherford         | female | 3   | Daughter     |
| 4  | Ethel Weatherford         | female | 3   | Daughter     |
| 5  | Thomas W Weatherford      | male   | 1   | Son          |

The contents of which application I have to set  
out true, on this the 26 day of July, A.D. 1896  
Subscribed and Sworn to before me this 26 day of July  
1896  
R. G. Scott, J. P.

...in the event  
...J. P.

A. H. Thomas  
J. P. King

Autographed and sworn to before me this  
20 day of July A. D. 1896, and I further  
certify the said J. P. King and J. P. King  
and further to all persons of credibility  
and of truth and veracity

R. F. Scott J. P.

My Commission expires on the 1st day of Oct  
1896

Henry L. Davis  
Frank C. Armstrong  
Archibald P. McPherson  
Thomas B. Caton  
Alexander D. Montgomery  
Commissioners

Reflected

Affidavit of Witness

State of Alabama }  
County of Monroe }

Before me the undersigned <sup>Justice of Peace</sup> a, m and  
for the County and State Aforesaid, personally  
appeared J. W. Shomo and Dr. King who after  
being by me duly sworn state that they  
are 25 years of age and are Citizens of Monroe  
County and State of Alabama and that  
are personally acquainted with Thomas -  
Waller Weatherford who is an applicant  
for citizenship in the Creek Nation D. T.  
And affiant further states that the said  
Thomas Waller Weatherford is the identical  
person he represents himself to be in  
his application for citizenship in said  
Nation and that the said Thomas Waller  
Weatherford is a son of John Dyer Weatherford  
and John Dyer Weatherford is the son of  
John Weatherford - who was the son of  
Charles Weatherford and <sup>and</sup> Jehoy McGilbray  
Weatherford, who being of Creek Indian  
Blood. Affiant further states that  
they have known the said Thomas Waller  
Weatherford for the past 20 years <sup>and</sup> know  
that he is and has been recognized  
and treated by his neighbors acquaint-  
ances, and the public generally as a  
person having Creek Indian blood, and  
that the complexion, physical appearance,  
language and manners, of the said  
Thomas Waller Weatherford, indicate that  
the said Thomas Waller Weatherford is of  
Indian blood. That from the above



Facts and circumstances, and from  
 Statements made to me by the said  
 Thomas Waller Weatherford affiant states  
 they have every reason to believe and  
 does believe, that the said Thomas Waller  
 Weatherford is of Creek Indian blood.  
 Affiant further states that they have  
 no interest whatever in the prosecution  
 of the claim of the said Thomas Waller  
 Weatherford to citizenship in the Creek  
 Nation, I P.

J H Storms  
 D R King

Subscribed and sworn to before me this  
 26 day of July A D 1896, and I further  
 certify that I am well acquainted  
 with the said J H Storms and D R King  
 and <sup>know</sup> them to be persons of credibility  
 and of truth and veracity.

R. H. Scott J P

My Commission expires on the 1st day of Sept  
 1896

Henry Dimes  
 Frank C Armstrong  
 Archibald McPherson  
 Thomas B Catron  
 Alexander D Montgomery

Commissioners

Rejected

The State of Alabama)  
Monroe County } J. N. Spallworth Judge of the  
Probate Court in and for said County & State  
hereby certify that R. J. Scott whose certificate is  
to the without application of Chauncey Waller  
Weatherford for Citizenship in the Creek Nation  
in the Indian Territory is an acting and  
qualified Justice of the Peace under the Laws  
of the State of Alabama and that his term  
of office will expire on the first day of  
Sept- 1896 and his acts and doing as such are  
entitled to full faith and credit.

Given Testimony whereof I have hereunto set  
my hand and affixed the seal of my office  
on this the 14<sup>th</sup> day of August 1896  
J. N. Spallworth



MA Pleasant Monroe Co Ala Aug 20, 1896<sup>n</sup>  
To the Dawes Commission at  
{ Poncha, D T

Dear Sir

I enclose you my application for citizenship with affidavit and according to instructions have sent a copy of same to the Chief or Governor of the Creek Nation to which I belong.

Yours Truly

Thomas Waller Weatherford

MA Pleasant Ala Aug 31 1896  
Dawes Commission

{ Poncha D T

Dear Sir

I have packed up the papers and return to you and I am to be witness and also send the Post Master receipt from the P M at Muskogee. Thomas Waller Weatherford.

**REGISTRY BILL.**

REGISTERED LETTERS, etc., from *M. A. Shomo*  
 To P. O. at *Muskogee*

All Registered Letters or Parcels sent by this Postage will be insured against loss or damage.

| REG. NO. | CLASS | ADDRESS                                |
|----------|-------|--|
| 35       |       | The Chief of Indian<br>of Creek Nation |
|          |       |  |
|          |       |  |
|          |       |  |

SENT BY *M. A. Shomo* RECEIVED BY \_\_\_\_\_

**REGISTRY RECEIPT.**

Post Office at *Mx Pleasant Ala*

Registered Letter No. *35* Rec'd *Aug 19 1895*

of *J. M. Markland*  
*one letter*

addressed to *Chief or Governor of Creek  
 Nation, I. T. Muskogee I. T.*

*M. A. Shomo* P.M.

The Postmaster making up Registered Letters, &c., for dispatch, will fill up the other side of this Bill, and write the name of his Post Office, County and State in the blank address on this side.

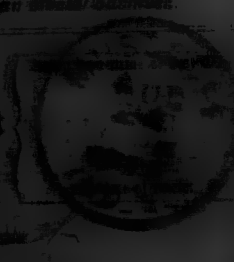
The Postmaster receiving this Bill in Registered Package will at once examine same with letters, &c., inclosed; make entries on record of registered matter received. Place postmark below; sign this Bill on other side, noting any errors, and return it to the mailing Post Office without cover.

A penalty of \$300 is fixed by law for using this card on other than official business.

**Post Office Department.**  
OFFICIAL BUSINESS. Post Office at

RETURN TO:

Postmaster at W. P. Adams  
County of Franklin  
State of Mass.



**Commission to the Five Civilized Tribes,**

VINITA, IND. TER.,

1896

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and when the registry receipt is returned to you, signed by him, have some disinterested person to make affidavit in form about as follows:

I, Alie Shomo, do solemnly swear that on the 17 day of August, 1896, I saw a package registered at the postoffice at mt. Pleasant addressed to \_\_\_\_\_ Governor or Chief of the Creek Nation, Ind. Ter., that registry receipt, No. 35, hereto attached, is a receipt for said package, which contained true copies of the application of Thomas H. Moore, Murkhafield and of the affidavits of D. R. King and J. W. Thomas in support of same.

Subscribed and sworn to before me, on this 31 day of August, 1896.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory.

For the Commission.

No. 1483.

156

J. W. Weatherford

Creek Nation

Filed 7 Sept 1896,  
H. M. Jacobway  
clerk

Rejected

Department of the Interior,  
Division of the Five Civilized Tribes.  
OFFICIAL BUSINESS.  
Penalty for private use, \$300.

Mt Pleasant  
Ala



**End**

α 157

No 157+  
John & Werr  
vs.  
Creek Station  
Order of Appeal

## NOTICE.

273

United States of America,

INDIAN TERRITORY,

NORTHERN DISTRICT.

SS.

In the United States Court for said District.

In the matter of the application of

**John E Weer**

to be

enrolled as citizens of the **Muskogee** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**John E. Weer**

to be enrolled as citizens of the **Muskogee** Nation, from said **Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the **21st** day of

**Jan. 1897.**

A. D. 189

Clerk.

No. / 5-2

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*J. O. Hur*

VS.

*Crank*

Nation.

Received and filed this day of

189

Secretary.

RECEIVED JOE PERRY POST BATH



..... vs. .... Nation, as follows:

vs.

...Nation, as follows:

Witness my hand and official seal at.

this the 29<sup>th</sup> day of January 1897

1897  
Geo. W. Winston  
Clerk.

**End**

CR 158

Muskegon Sept 8<sup>th</sup> / 86  
Received this day of E. E. Weldon, per  
Wheeler & Co. attorneys, copy of application  
in case of E. E. Weldon for citizenship in the  
Creek Nation.

Reley M. Lusk

Act. Prin. Chief Muskegon Nation.

By: J. B. Callahan  
Notary

740

FILED SEPT. 9 1896.

A. S. McKENNON

COM'R



# No 744  
108

E. E. Weldon  
Ex Parte.

for citizenship in the  
Creek Nation

Filed Sept 8-1896  
A. S. McKinnon  
Clerk

Rejected

Filed by  
Nelson Lieber  
Atty for Petitioner  
Minneapolis, Minn.  
9. T.

E. E. Weldon says that the statements of  
the foregoing petition are true.  
E. E. Weldon  
Subscribed and sworn to before me this 1st  
day of July 1896  
John E. Lieber  
Notary Public.

My Com. Expires Dec. 31, 96

Before the Honorable Dawes Commission

By Parte E. E. Weldon

Your petitioner E. E. Weldon declares his right to citizenship in the Creek Nation by virtue of the following facts to-wit: That your petitioner has resided in the Creek Nation since the 19<sup>th</sup> day of June 1877 and on the day of September 1881 was united in marriage to Mr Ruby D. West who is and was at the time of said marriage a recognized citizen of the Creek Nation. That your petitioner is now the lawful husband of the above mentioned citizen of the Creek Nation.

That by virtue of the marriage of your petitioner to the above mentioned citizen of the Creek Nation, and the Treaties between the United States and the Creek Nation, and the laws of the Creek Nation, he became a citizen and member of said Nation at the time of said marriage.

That your petitioner was at the time of said marriage a citizen of the United States.

That while your petitioner's right to reside in the Creek Nation has never been denied or objected to yet his name has never been placed on the rolls of said Nation nor has he ever been permitted to participate

in the annuities and payments, dis-  
tributed among the members of said Nation.

Wherefore your petitioner prays that  
he may be admitted and enrolled as a  
citizen of the Creek Nation, in accordance  
with the laws in such cases made  
and provided

Weldon Lieber  
Atty for Petitioner

E. E. Weldon says that the statements of  
the foregoing petition are true.

E. E. Weldon

Subscribed and sworn to before me this 1st  
day of July 1896

John H. Lieber  
Notary Public.

# No 5440  
108

E. E. Weldon  
Ex Parte.  
---  
for citizenship in the  
Creek Nation  
---

Filed & Sept 8-1896  
A. S. Wagoner  
Clerk

Replied to

Filed by  
Weldon Lieber  
Atty for Petitioner  
Muscoy, 9. T.



ENUNCIATION  
OF THE CONSTITUTION

1. The Constitution is the supreme law of the land.

2. The Constitution is the basis of all government.

3. The Constitution is the source of all power.

4. The Constitution is the foundation of all rights.

5. The Constitution is the cornerstone of all justice.

6. The Constitution is the pillar of all liberty.

7. The Constitution is the shield of all property.

8. The Constitution is the anchor of all peace.

9. The Constitution is the keystone of all unity.

10. The Constitution is the heart of all life.

11. The Constitution is the soul of all truth.

12. The Constitution is the spirit of all love.

13. The Constitution is the voice of all wisdom.

14. The Constitution is the light of all knowledge.

15. The Constitution is the power of all creation.

16. The Constitution is the glory of all achievement.

17. The Constitution is the crown of all excellence.

18. The Constitution is the crown of all glory.

19. The Constitution is the crown of all honor.

20. The Constitution is the crown of all fame.

21. The Constitution is the crown of all renown.

22. The Constitution is the crown of all praise.

Before the Daves Commission, Vinita Indian Territory.  
 F. E. Weldon, a white man,----- Plaintiff.  
 vs. ( Petition to be enrolled.  
 The Creek Nation,----- Defendant.

1. Comes the said plaintiff defendant and says that the plaintiff in this case is a white man and a citizen of the United States and claims the right to be enrolled as a citizen of the Creek Nation because of the inter-marriage with a Creek woman, a native citizen thereof. The said defendant avers and says that the said plaintiff is not entitled to be enrolled because said plaintiff did not by such marriage become a citizen of the Creek Nation under the laws, customs and usages of said Nation and the of the Treaties between defendant and the United States.

2. The defendant further says that the plaintiff does not state facts in his said petition and affidavits thereto attached sufficient to entitle him to be enrolled as a citizen of the said defendant Nation.

3. The said plaintiff has not filed with his said petition evidence of his said inter-marriage.

*as the defendants demand to the time in  
 of this from Commission to hear S. P. Callahan,  
 determine this case*

Harry McIntosh,

Ben T. DuVal,  
 Attorneys for def't.

*Bennie McIntosh* says that he believes the matters and things set forth in the foregoing answer to be true.

*Bennie McIntosh*

sworn to and subscribed before me this 9<sup>th</sup> day of October 1905  
*my hand and private seal not having an official seal*  
*and the Daves Commission*

*Come exp Dec 10<sup>th</sup> 1905*



**End**

ca 159

**Commission to the Five Civilized Tribes,**

VINITA, IND. TER.,

1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and when the registry receipt is returned to you, signed by him, have some disinterested person to make affidavit in form about as follows:

I, G. V. Goodale, do solemnly swear that on the 19 day of Aug, 1896, I saw a package registered at the postoffice at Wint Pleasant Ala, addressed to Chief or Governor, Governor or Chief of the Creek Nation, Ind. Ter., that registry receipt, No. 32, hereto attached, is a receipt for said package, which contained true copies of the application of John Dyer Weatherford, and of the affidavits of Thos J English and D. H. King in support of same. G. V. Goodale

Subscribed and sworn to before me, on this 19 day of Aug, 1896.

R. L. Scott J. P.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory.

For the Commission.

Application for Citizenship  
 To the Honorable Council of Creek  
 Nation, Indian Territory  
 Testimony, The undersigned now testifies  
 that this day makes this his application  
 for Citizenship in the Creek Nation in  
 the Indian Territory, in accordance  
 with the Constitution and Laws of said  
 Nation and respectfully makes the fol-  
 lowing statement of the grounds of  
 this his application to wit  
 That John Weyer Matherford is the  
 Son of John Matherford dec'd who  
 the undersigned fully believes was  
 an Indian belonging to said tribe  
 The undersigned hereby presents the  
 above facts as the lawful grounds for  
 this his application for Creek Citizenship  
 by blood and respectfully awaits the  
 time when his application shall be  
 heard and tried. Respectfully submitted  
 Age 70 years Post Office Wt. Mather  
 Oklahoma

Family with their relationships is  
 as follows

- |   |                 |          |        |
|---|-----------------|----------|--------|
| 1 | John Matherford | Deceased | Indian |
| 2 | Lang Matherford | Alive    | Age 40 |
| 3 | Mary Matherford | Deceased | Age 38 |

Weyer

No <sup>Female</sup> <sup>Age</sup>  
# <sup>Married</sup> <sup>at</sup> <sup>28</sup> <sup>years</sup>  
# <sup>Application</sup> <sup>for</sup> <sup>Citizenship</sup>  
# <sup>28</sup> <sup>Application</sup>  
# <sup>for</sup> <sup>Citizenship</sup>

Ref. E. Walter Warburton 65  
In witness of which application I have put  
my hand on this the 26<sup>th</sup> day of July 1893  
John W. Warburton

Subscribed and sworn to before me this  
the 26<sup>th</sup> day of July 1893  
R. H. Scott, J. O.  
My Commission expires 1<sup>st</sup> Sept 1896



*[Faint, illegible handwriting]*

Copy sent to  
National Council  
of Education  
of Massachusetts

### AFFIDAVIT OF WITNESS.

( STATE OF Alabama ) ( Shuford )  
COUNTY OF Jefferson ) ss.

Before Me, the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared John H. [unclear], who after being by me duly sworn states that he is 27 years of age, and a citizen of Tennessee County and State of Tennessee; and that [unclear] is personally acquainted with John H. [unclear] who is an applicant for citizenship in the United States Nation, I. T., and affiant further states that the said [unclear] is the identical person [unclear] represents himself to be im his application for citizenship in said Nation, and that the said [unclear] is a Citizen of Tennessee.

Affiant further states that <sup>he</sup> has known the said <sup>John</sup> ~~John~~ <sup>James S. Smith</sup> for the past <sup>10</sup> years and knows that <sup>he</sup> is and has been recognized and treated by <sup>his</sup> neighbors, acquaintances and the public generally, as a person having <sup>Indian</sup> Indian blood; and that the complexion, physical appearance, language and manners, of the said <sup>John</sup> ~~John~~ <sup>James S. Smith</sup> indicate that the said <sup>John</sup> ~~John~~ <sup>James S. Smith</sup> is of Indian blood. That from the above facts and circumstances and from statements made to <sup>him</sup> by the said <sup>John</sup> ~~John~~ <sup>James S. Smith</sup> before <sup>him</sup> <sup>affiant</sup> state <sup>that</sup> <sup>the</sup> every reason to believe, and does believe, that the said <sup>John</sup> ~~John~~ <sup>James S. Smith</sup> is of <sup>Indian</sup> Indian blood.

Affiant further states that: None has no interest whatever in the prosecution of the claim of the said John T. Brown 1814 to citizenship in the USA Nation, I. T.

Subscribed and sworn to before me this 26 day of April A. D. 1893

and I further certify that I am well acquainted with the said Thos J. English & A. E. King and know Thos. J. English to be a person of credibility and of  
truth and veracity.

My commission expires on the 1st day of Sept 1896

FRAME 1

The State of Indiana  
 Lawrence County } Before me R. F. Scott  
 a Justice of the Peace in  
 and for said County Personally appeared  
 Charles Weatherford Sr. and Alexander McNeil  
 Leroy Weatherford who are personally known to  
 me and being duly sworn depose and  
 say that John Weatherford died  
 he was a Half-breed Creek Indian  
 of Scottsbluff Creek Nation and  
 I know John Dyer Weatherford to be  
 the son of said John Weatherford the  
 said John Dyer Weatherford  
 a Northern Creek Indian of Creek Nation  
 who was the wife of aforesaid John Weatherford  
 and I know of said John Dyer Weatherford  
 James M. Dyer Charles X Weatherford  
 Subscribed before me  
 & sworn to  
 R. F. Scott

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, the undersigned, a Justice of the Peace in and for the County and State aforesaid, personally appeared \_\_\_\_\_ who after being by me duly sworn states that \_\_\_\_\_ is 24 years of age, and a citizen of \_\_\_\_\_ County and State of Alabama, and that \_\_\_\_\_ is personally acquainted with \_\_\_\_\_ who is an applicant for citizenship in the \_\_\_\_\_ Nation, I. T., and affiant further states that the said \_\_\_\_\_ is the identical person. He represents \_\_\_\_\_ to be in \_\_\_\_\_ application for citizenship in said Nation, and that the said \_\_\_\_\_ is a citizen of \_\_\_\_\_

Affiant further states that \_\_\_\_\_ has known the said \_\_\_\_\_ for the past \_\_\_\_\_ years and knows that \_\_\_\_\_ is and has been recognized and treated by \_\_\_\_\_ neighbors, acquaintances, and the public generally, as a person having \_\_\_\_\_ Indian blood; and that the complexion, physical appearance, language and manners, of the said \_\_\_\_\_ indicate that the said \_\_\_\_\_ is of Indian blood. That from the above facts and circumstances, and from statements made to \_\_\_\_\_ by the said \_\_\_\_\_ affiant states that he has every reason to believe, and does believe, that the said \_\_\_\_\_ is of \_\_\_\_\_ Indian blood.

Affiant further states that \_\_\_\_\_ has no interest whatever in the prosecution of the claim of the said \_\_\_\_\_ to citizenship in the \_\_\_\_\_ Nation, I. T.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 1893

and I further certify that I am well acquainted with the said \_\_\_\_\_ and know \_\_\_\_\_ to be a person of credibility and of truth and veracity.


My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_ 1896

The State of Alabama  
Innocent County } Before me R. G. Scott  
a Justice of the Peace in  
and for said County personally appeared  
Charles Weatherford Sr. and Alexander McNeil.  
Living Weatherford who are personally known to  
me and have duly sworn to me and  
say, I know John Weatherford died  
who was a Half-breed Creek Indian  
of Tustagee Creek Nation and  
I know John Myer Weatherford to be  
the son of said John Weatherford  
and I also know Martha Myer Weatherford  
a Half-breed Creek Indian of Creek Nation  
who was the wife of aforesaid John Weatherford  
and I know of said John Myer Weatherford  
Martha Myer Weatherford Charles X Weatherford.  
Subscribed and sworn to me  
July 26th 1893  
R. G. Scott J. P.

FRAME 2



1870



1872  
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BEFORE THE DAVIS COMMISSION, VINITA, INDIAN TERRITORY.

John Iyer Weatherford,----- Plaintiff,

vs. ( Answer,

The Creek Nation,----- Defendant.

The defendant says: This application appears by the copy served on the Chief to be addressed to the "Honorable National Council of the Creek Nation Indian Territory", and therefore moves the Commission to dismiss the same from its docket.

2. The defendant further answering says: That it appears by the statements in plaintiff's application contained that plaintiff and his children are citizens and residents of Mt. Pleasant in the State of Alabama; that they were born and raised in said State of Alabama and have been citizens thereof all their lives, he being now seventy years old and that he has never been within the jurisdictional limits of this Nation, or made application heretofore for citizenship.

3. That the said applicant and his family have been born and raised in the State of Alabama and recognized as citizens thereof and having elected to remain outside of the jurisdictional limits for so long a time and elected to become citizens of the State of Alabama they forfeited all rights of citizenship in this Nation and are not entitled to be enrolled as citizens.

S. R. Callahan,  
Benny McIntosh,  
Attorneys for defendant.

Benny McIntosh

says that he believes the matters and things set forth in the foregoing answer to be true.

Benny McIntosh

Sworn to and subscribed before me this 22<sup>nd</sup> day of July 1896

Julius Rogers (Read)  
N-40

My Comm exp'd Oct-10<sup>th</sup>/1900

Ma Pleasantala Sept 3, 1896  
Dear Sir <sup>to Dunes Commission</sup>

I send you  
my application and  
registered receipt to prove  
service on Chief Thomas  
Waller Weatherford and  
Chas A Sitemore sent  
applications yesterday from  
this place with receipt  
and cards of Post Master  
attached. as they hadnt got  
cards from Chief. they  
enclose them in this  
package. please attach  
them to their applications.  
John Dyer Weatherford.

**REGISTRY RETURN RECEIPT** 1896

Reg. No. 31 From Post Office at St. Paul, Minn.

\*Reg. Letter } Addressed to Mr. J. J. McLaughlin  
 Reg. Parcel } St. Paul, Minn.

After obtaining receipt below, the Postmaster will mail this Card, without cover, and without postage, to address on the other side.

**RECEIVED THE ABOVE DESCRIBED REGISTRY** (SENDER'S NAME OR OTHER INFO.) **REGISTERED**

Sign on dotted lines to the right.

When delivery is made to other than addressee, the name of both addressee and recipient must appear.

Spaichew  
By J. J. McLaughlin

\* When letter or parcel contains dangerous or inflammable contents.

**REGISTRY RETURN RECEIPT** 1896

Reg. No. 35 From Post Office at St. Paul, Minn.

\*Reg. Letter } Addressed to The Chief of the  
 Reg. Parcel } Chick Nation, Muskogean Tribes

After obtaining receipt below, the Postmaster will mail this Card, without cover, and without postage, to address on the other side.

**RECEIVED THE ABOVE DESCRIBED REGISTRY** (SENDER'S NAME OR OTHER INFO.) **REGISTERED**

Sign on dotted lines to the right.

When delivery is made to other than addressee, the name of both addressee and recipient must appear.

Spaichew  
By J. J. McLaughlin

\* When letter or parcel contains dangerous or inflammable contents.

**REGISTRY RETURN RECEIPT** 1896

Reg. No. 30 From Post Office at St. Paul, Minn.

\*Reg. Letter } Addressed to The Chief of the  
 Reg. Parcel } Nation, Muskogean Tribes

After obtaining receipt below, the Postmaster will mail this Card, without cover, and without postage, to address on the other side.

**RECEIVED THE ABOVE DESCRIBED REGISTRY** (SENDER'S NAME OR OTHER INFO.) **REGISTERED**

Sign on dotted lines to the right.

When delivery is made to other than addressee, the name of both addressee and recipient must appear.

Spaichew  
By J. J. McLaughlin

\* When letter or parcel contains dangerous or inflammable contents.

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.  
A penalty of \$300 is fixed by law for using this card for other than official business.

**Post Office Department.**  
OFFICIAL BUSINESS. Post Office at

RETURN TO:

Name of Sender J. D. Weatherford

Street and Number, or Post Office Box. Box 1

Post Office at Pleasant

County of Monroe State of La

OK MOBILE AUG 20 8 AM 1896

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.  
A penalty of \$300 is fixed by law for using this card for other than official business.

**Post Office Department.**  
OFFICIAL BUSINESS. Post Office at

RETURN TO:

Name of Sender J. D. Weatherford

Street and Number, or Post Office Box. Box 1

Post Office at Pleasant

County of Monroe State of La

OK MOBILE AUG 20 8 AM 1896

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.  
A penalty of \$300 is fixed by law for using this card for other than official business.

**Post Office Department.**  
OFFICIAL BUSINESS. Post Office at

RETURN TO:

Name of Sender Chas. A. Legmore

Street and Number, or Post Office Box. Box 1

Post Office at Pleasant

County of Monroe State of La

OK MOBILE AUG 20 8 AM 1896



**End**



or 160

No 160.

M. E. Woolley Et al.

vs.

Cross Nation

Order of Appeal  
U. S. Court

RECEIVED

RECEIVED

NOTICE.

194

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

In the United States Court for said District.  
In the matter of the application of  
SS. **M E Wooley et al** to be  
enrolled as citizens of the **Creek** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of  
**M. E. Wooley et al**

to be enrolled as citizens of the **Creek** Nation, from said  
**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **13th** day of  
**Jan 1897** A.D. 189

*Jameson* Clerk.

No. 168

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

M. C. Woolley et al

VS.

Christ

Nation.

Received and filed this

day of

189

Secretary.

REVISOR JOB PRINT PORT SMITH.

..... **vs.** ..... **Nation, as follows:**

WITNESS my hand and official seal at Muncie  
this the 26<sup>th</sup> day of January 1897  
Jas. A. Winston  
Clerk.



**End**

CR 161

Dawes No. 161.      Cora B. Whitlow vs. Creek Nation.

The Dawes Commission record (C, page 127) shows this case to have been appealed to the United States Court. In the Dawes Commission files of 1896 I found no papers in this case, nor an order of Court directing the Commission to send the papers up to the United States Court.

In looking through the Court papers in the case of Ashby Williams et al. vs. Creek Nation, Court No. 240, Dawes No. 162, I found the original petition for citizenship in the Cora B. Whitlow case, which is attached hereto. There is no record whatever on U. S. Court Docket of this case. Unable to find any petition for appeal.

  
\_\_\_\_\_

Muscogee, I. T. May 14th, 1900.

Commission to the Five Civilized Tribes.

I, Walter Muller, do solemnly swear that on the 16<sup>th</sup>  
day of September, 1896, I saw a package registered at the postoffice at Fort Smith  
Arkansas - addressed to John Lee  
Governor or Chief of the Creek Nation, Oklahoma - Indian Territory,  
that Registry Receipt No. 385 received from postmaster, hereto attached, is a receipt for said package, which  
contained true copies of the application of Corra B. Whitlow - and of the  
affidavits of Harriet Bryant - and  
in support of same.  
Subscribed and sworn to before me, on this 16<sup>th</sup> day of September, 1896.  
W. H. Parke Notary Public.  
My Com. 4-1104-14-1900.

## Application for Enrollment.

BEFORE THE UNITED STATES COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIANS:

Cora B. Whitlow ..... ET AL.  
PETITIONER.

VS.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

Creek ..... Nation, Indian Territory.  
RESPONDENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner, **Cora B. Whitlow**, states that **Reuben Jaxon** was a **Creek** Indian by blood: was duly recognized by the proper authorities as such in **in the old Creek Nation in Georgia** and enjoyed all the rights, privileges, benefits and annuities of other **Creek** Indians by blood in the said **Creek** Nation or Tribe of Indians, and that the name of the said **Reuben Jaxon** appears, or should appear upon the authenticated rolls of the said **Creek** Indians for the year. That petitioner is a lineal descendant of the said **Reuben Jaxon** to-wit:

That the post-office address of your petitioner is Van Buren, Ark. That she is one-eighth Creek Indian blood. That she derives her Indian blood from her mother, Harriett Penneywit, who is of Creek blood, and who is the daughter of the late Alfred Jaxon, who resided in the State of Ga., and who was a half-blood Creek Indian, and who was the son of the late Reuben Jaxon. That the said Reuben Jaxon resided near what is now the City of Atlanta, State of Georgia; and in the Creek nation in the State of Georgia; and who spoke the Creek Indian language; and who was a full blood Creek Indian; and a member of the Creek tribe of Indians.

That under the constitution, laws, usages and customs of the said **Creek** Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said **Creek** Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other **Creek** Indians by blood.

That there are now living legal descendants of your said petitioner **five** persons, as follows, to-wit:

|                          |              |       |           |              |
|--------------------------|--------------|-------|-----------|--------------|
| <b>Sallie Whitlow</b>    | , a daughter | , and | <b>15</b> | years of age |
| <b>Willie Whitlow</b>    | , a son      | , and | <b>13</b> | years of age |
| <b>Su sie Whitlow</b>    | , a daughter | , and | <b>10</b> | years of age |
| <b>Robert E. Whitlow</b> | , a son      | , and | <b>8</b>  | years of age |
| <b>Harry Whitlow</b>     | , a "        | , and | <b>6</b>  | years of age |
|                          | , a          | , and |           | years of age |
|                          | , a          | , and |           | years of age |
|                          | , a          | , and |           | years of age |
|                          | , a          | , and |           | years of age |
|                          | , a          | , and |           | years of age |

Wherefore, the premises considered, your petitioner prays that **her** name, with those of



.....said descendants, I-wit:.....  
her  
Lillie, Willie, Susie, Robert E., and Harry Whitlow  
and.....  
herself.....be enrolled and admitted to all rights, benefits privileges  
and immunities of other.....Indians, in and to the.....Nation  
or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

JOSEPH P. MULLEN  
Attorneys For Petitioners.

The aforementioned petitioner.....Cora B. Whitlow.....says that the state-  
ments set forth in the above and foregoing petition are true according to his best knowledge, information and belief.  
Witness: Fred Elmer Samuell Henry Cora B. Whitlow  
Subscribed and sworn to before me, this 24th day of August, 1896.  
Fred Elmer Samuell  
Petitioner.

Commission expires Feb. 24, 1898. Notary Public

No.....  
Application of  
.....  
FOR.....  
Enrollment in.....Nation.  
Filed on the.....day of.....189.....  
Sec. U. S. Com. F. & C. T. Tribes.  
Attorney of Petitioner.

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF Cora B. Whitlow  
FOR ADMISSION TO CITIZENSHIP IN THE Cherokee NATION.

STATE OF Arkansas } SS.  
COUNTY OF Crawford }

Before me, the undersigned, a Notary Public in and for the County and State aforesaid Personally appeared Harriett Penneywitt who, being by me duly sworn states:

That she is 58 years of age, a resident of the State of Arkansas and County of Crawford and that she is personally acquainted with Cora B. Whitlow who is an applicant for citizenship in the Cherokee Nation. Affiant further states.

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That the said Cora B. Whitlow is an admixture of white and Creek Indian blood. That she derives her Creek Indian blood from her mother, this affiant, Harriett Penneywitt. That this affiant is the daughter of the late Alfred Penneywitt, who was a half-blood Creek Indian, and who lived in the State of Ga.; and who was the son of the late Reuben Jackson, who affiant has every reason to believe, and does believe, resided in the old Creek Nation, in Georgia, and who spoke the Creek Indian language; and who was a full blood Creek Indian, and was a member of the Creek tribe of Indians.

Affiant further states that she knows that the said Cora B. Whitlow is the identical person that she represents herself to be in her application for Cherokee citizenship; and that she is a direct lineal descendant of the late Reuben Jackson Creek Indian family; and that the said Cora B. Whitlow is rightfully entitled to the rights of citizenship in the Creek Nation, by virtue of her Creek Indian blood.

Affiant further states: That she has known the said Cora B. Whitlow for the past 30 years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Creek Indian blood and that the complexion and physical appearance of the said Cora B. Whitlow indicate that she is of Creek Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what she has heard and knows of the family of the said Cora B. Whitlow she believes the said Cora B. Whitlow to be a descendant by blood of the Creek Indian tribe.

Witness: -

Subscribed and sworn to before me this

Harriett Penneywitt  
21st day of August 1896  
Fred E. Cooper

NOTARY PUBLIC.

My commission expires Feb. 24, 1898.

No. 1952

240

IN THE MATTER OF

Cora B. Whitlow

Petition and Memorial  
FOR  
CITIZENSHIP

In the Creek Nation, I. T.

Filed Sept 7, 1896  
H. M. Jackson  
CCK

FILED  
Perry  
26 1897

Just Winstone  
CLERK  
Reflected

Joseph R. Miller  
JRM

No. 161

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Wm. Williams et al*

*vs. B. Williams*

VS.

*Chas. A. Williams*

Witness.

Received and filed this

day of

189

Secretary.

RECEIVED JAN 26 1897

FILED

JAN 26 1897

*Jas A. Williams*



RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

vs. .... Nation, as follows:

WITNESS my hand and official seal at.

this the 26<sup>th</sup> day of January 1897

of *James H. Winston* 1892  
*James H. Winston*  
Clerk.



**End**

Q 162

No. 162

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Ashby Williams & Co

VS.

Wm. K.

Nation.

Received and filed this

day of

189.

Secretary.

RECEIVED FOR THE SECRETARY OF THE

[illegible]

WITNESS my hand and official seal at Minneapolis  
this the 26<sup>th</sup> day of January 1897  
Jas. A. Winston  
Clerk.

No 162

Ashby Williamus Etal

v.s.

Creek's Nation

Order of Appeal



NOTICE.

240

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.

In the matter of the application of  
**Ashby Williams et al** to be  
enrolled as citizens of the **Muskogee** Nation.

TO THE **Commission to the five civilized tribes**

You are hereby notified that an appeal has been taken in the matter of the application of

**Ashby Williams et al**

to be enrolled as citizens of the **Muskogee** Nation, from said

**Commission**

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the **20th** day of  
**Jan** 1897. A.D. 189

Clerk.

**End**

CR 163

No 163

Enlli Jones & Co

Wm & Nation

Order of Appeal

NOTICE.

241

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.

In the matter of the application of

Sallie Jones et al

to be

enrolled as citizens of the Muskogee Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

Sallie Jones et al

Muskogee

to be enrolled as citizens of the Commission Nation, from said

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 20th day of Jan, 1897. A.D. 1897.

Clerk



No. 168.

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

*Ballie Jones Et Al*

VS.

*Orin*

Nation.

Received and filed this

day of

189.

Secretary.

SEWATER AND PORT FORT SMITH

RECEIVED of H. M. Jacoway, jr., Secretary to The Commission to the  
Five Civilized Tribes, the original papers, in the cause of

..... vs. .... Nation, as follows:

|       |  |
|-------|--|
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| ..... |  |

WITNESS my hand and official seal at *Wincoque*  
this the *26<sup>th</sup>* day of *January*, 189*7*  
*Gas. A. Winston*  
*Clark*

**End**

CR 164

PRACTICES BEFORE THE UNITED STATES DISTRICT COURT AT FORT SMITH, ARK., THE U. S. COURT AT MUSKOGEE, I. T., AND U. S. COURT AND COMMISSIONER AT TAHLEQUAH, I. T.

CASE NO.

PRACTICES BEFORE ALL THE COURTS AND DEPARTMENTS OF THE CHEROKEE NATION AND OTHER NATIONS OF THE INDIAN TERRITORY. PROSECUTES CLAIMS TO CITIZENSHIP.

**WILLIAM F. RASMUS.**

**ATTORNEY-AT-LAW AND GENERAL COMMERCIAL AGENT,**

HAVING PERMANENTLY ASSOCIATED WITH ME  
**M. O. GHORMLEY,**  
ATTORNEY.

AS SPECIALIST IN CLAIMS FOR  
CHEROKEE INDIAN CITIZENSHIP.

OFFICE OVER PEOPLES STORE. ROOMS 9 AND 10, SECOND FLOOR.

TAHLEQUAH, CHEROKEE NATION, I. T.,

189

IN RE

VS.

Received of Rasmus and Ghormley  
are (1) page application.  
Two (2) page of evidence.  
in Case of Ellen Shores - for Creek  
Citizenship. Certified to as true and  
literal copies of the original by J. V.  
Byles N. P.

Katey McIntosh

Secured by Adl-P. C. M. N.



Langes. Brief.

# Application for Cherokee Citizenship.

**To the Honorable, the DAWES COMMISSION, Tahlequah, Indian Territory:**

The undersigned Allen Glass Co your petitioner, makes this application for admission to citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, in accordance with all the Treaties, the Constitution and laws of the Cherokee Nation, and precedants established and of record, and respectfully submits the following statement of facts for the grounds of his claim, to-wit:

That ~~she~~ <sup>she</sup> is the ~~daughter~~ <sup>daughter</sup> of one ~~of one~~  
~~Nellie Bradenthal~~ <sup>Nellie Bradenthal</sup> and the ~~grand daughter~~ <sup>grand daughter</sup> of one  
~~Jim Gration~~ <sup>Jim Gration</sup> and the ~~father & mother~~ <sup>father & mother</sup> of one  
~~Bradenthal~~ <sup>Bradenthal</sup> all of ~~who~~ <sup>who</sup>, your petitioner firmly believes, were  
~~Cherokee Indian~~ <sup>Cherokee</sup> by blood and duly acknowledged member of the ~~Cherokee~~ <sup>Cherokee</sup> tribe of Indians, and from  
 whom ~~she~~ <sup>she</sup> derived ~~Cherokee~~ <sup>Cherokee</sup> Indian blood, entitling ~~her~~ <sup>her</sup> to citizenship in the ~~Cherokee~~ <sup>Cherokee</sup>  
 Nation, Indian Territory.

That.....name and the name.....of said ancestor.....should be found to appear on the Census  
Rolls taken and made of ~~Cherokee~~ <sup>Chick</sup> east of the Mississippi river, in the years, 1835, 1848, 1851, and 1852.

And your petitioner.....respectfully awaits the time this.....1st.....application for admission, together with the proof in support thereof, shall be truly heard and passed upon. - 11 -

That the age of your petitioner is 29 years, that his postoffice address is Hillsboro, Hill Co, 2404 and that his family, by virtue of Cherokee Indian blood, consists of the following named to-wit:

| No. | Names               | Sex  | Age              | Relationship | Remarks |
|-----|---------------------|------|------------------|--------------|---------|
| 1   | Jessie Glauco       | Girl | 13 <sup>th</sup> | Daughter     |         |
| 2   | Robert Glauco       | Boy  | 11               | Son          |         |
| 3   | James Ernest Glauco | Boy  | 9                | Son          |         |
| 4   | Mary Ellen Glauco   | Girl | 4                | Daughter     |         |
| 5   | Grace Evelyn Glauco | Girl | 2                | Son          |         |
| 6   | Alexander Glauco    | Girl | 2                | Daughter     |         |

In Witness Whereof, I have hereunto set my hand at Hillsboro Texas  
this, the 5 day of August, A. D., 1896

**Attest:**

Subscribed and sworn to before me at Alaska  
June  
 this, the 5th day of August  
7 A. D., 1896

Neon Receipt  
Notary Public, State of Texas

[SEAL]

SS.

In the case of Ellen Glasco <sup>Creek</sup>  
in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Wm. Phillips <sup>Creek</sup>  
Notary Public, Cherokee Nation, Indian Territory.

Personally came this day before me William Phillips a Notary Public  
in Hill Co. Texas within and for the County of Hill and for the State of Texas the

to administer oaths. John Bell to me personally

well known to be reputable and entitled to credit, and who being by me first duly sworn according to law,

deposes and says: My name is John Bell

my age is 47 years; my postoffice address is Hillsboro, Hill Co. Texas

I am Sheriff of Hill Co. Texas by occupation;

I am a citizen of the County of Hill & State of Texas & was born & raised in said Hill Co. <sup>Tex</sup>

And affiant declares in relation to the above-named case as follows, to-wit:

I know Nellie Bradenthall for over thirty <sup>five</sup> years ago  
~~from her death~~, she died in Hillsboro Texas, about  
nine years ago. I know that Nellie Bradenthall  
claimed to be a Creek Indian woman before her  
death, and I know that Nellie Bradenthall was a  
reliable person, and I have heard her talk  
the Creek Indian language, with persons  
who said she was speaking the Creek  
Indian language. I also know that  
Ellen Glasco is the youngest daughter  
of said Nellie Bradenthall, & said  
Ellen {Bradenthall} Glasco married to her  
present husband Ike Glasco about  
14 years ago.

John Bell

Subscribed and sworn to before  
me this June 30th 1896

Wm. Phillips  
Notary Public Hill Co. Texas



164,  
No 252

~~164~~  
Ellen Moore

v.

Irish Station

Filed Aug. 27,  
1896,

H. W. Conway  
Sey

Reflected

Roscoe & Stanley  
Fidelity, D. D.

# AFFIDAVIT.

The State of Texas  
County of Hill

SS.

In the case of Ellen Glasco claimant for citizenship  
in the <sup>Creek</sup> Cherokee Nation, Indian Territory, as a <sup>Creek</sup> Cherokee Indian by blood, before the Honorable "Dawes  
Commission," authorized under act of the Congress of the United States.

Personally appeared this day before me Nelson Phillips a Notary  
Public within and for the County of Hill State of Texas aforementioned, duly authorized  
to administer oaths G. Y. Jarner to me is personally  
well known to be reputable and entitled to credit, and who being by me duly sworn according to law,  
deposes and says: My name is G. Y. Jarner; my age is fifty  
one years: My post-office address is Hillsboro, Hill Co. Texas  
; I am a Carpenter by occupation;

I am a citizen of the County of Hill State of Texas

And affiant declares in relation to the above-named case as follows, to-wit:

I have known Ellen Glasco, who was before  
her marriage, Ellen Bradenthall, for about  
25-years or more, in fact, I have known her  
continuously ever since she was a child, nursing  
her mother. She was the daughter of Nellie  
Bradenthall, (whose husband & father of Ellen) was  
Bob Bradenthall. I knew Nellie Bradenthall very  
well in her life time, I have often heard her speak  
of being a Creek Indian and it was generally un-  
derstood here for twenty years or more that said  
Nellie Bradenthall was a Creek Indian, and  
from her appearance it was shown that  
she did have a large strain of Indian blood  
in her. Affiant further states that he has lived  
in Hillsboro Texas since he was eight years old  
& Nellie Bradenthall came to Hillsboro two or three  
years after affiant did, & Ellen Glasco was  
born here.

G. Y. Jarner

Sworn to and subscribed before me  
this day 5th, 1896

Nelson Phillips  
Notary Public Hill Co. Texas



BEFORE THE DAWES COMMISSION, VINITA, INDIAN TERRITORY.

Ellen Glasco, and :  
her children : Plaintiff.

VS. ( Application for citizenship.

The Creek Nation,----- Defendant.

Comes the defendant and for answer says:

That the petitioner is not entitled to enrollment as citizen of this defendant Nation, because the facts stated in said application show that the petitioner and her family are white persons, and does not show the amount of mixed Indian blood she claims to have in her veins.

Second: That she is 29 years old, was born beyond the limits of the Indian Territory and has continuously resided all of her life beyond the jurisdictional limits of the Muskogee Nation, wherefore the defendant prays the petitioner and her children are not entitled to citizenship in the Muskogee Nation or to any of the privileges thereof.

Third: Defendant says that the petitioners are citizens of the State of Texas and have failed to establish her or their rights on account of Indian blood by a responsible and disinterested native witness.

Fourth: That the witnesses whose affidavits are attached to the application are not competent, for the reason above given, that their testimony is hearsay and wholly insufficient.

Wherefore defendant prays said application may be dismissed.

G. B. Callahan,  
Perry McIntosh,  
Attorneys for defendant.

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*Bernie M. Fitch* says that he believes the matters and things  
set forth in the foregoing answer to be true.

*Bernie M. Fitch*

sworn to and subscribed before me this 22<sup>nd</sup> day of October, 1896

*John H. Leonard*  
-- *John H. Leonard* *Notary Public*

*My com exp 10<sup>th</sup> 1900*

**End**

ca 165



REGISTRY RECEIPT.

Post Office at To Canadian St  
Registered Letter Parcel No. 33 Rec'd. 8-29-1896  
of G. W. Newton

addressed to Hon. Chief Isparhecher  
Oakumlaga St  
Atlepe P. M.

Robt F Turner  
can be reached by mail at  
Smith Canadian Ind In

I Robert F Turner  
do solemnly swear that on  
the 29th day of August 1896  
I saw a package registered  
at the Post Office at Smith  
Canadian Ind In addressed to  
the Am Chief of the Creek Nation  
at Tahlequah Ind In that  
Registry receipt No 33 hereto attached  
is a receipt for said package which  
contained true copies of the applica-  
tion of Mrs Pink Evans and  
the Affidavit of R. J. Gentry  
in support of same  
Signed Robt F Turner

Subscribed and sworn to  
before me this 29th day of August  
1896  
G M Weston  
Notary Public

Mrs Pink Come.

can be reached by mail at

North Canadian

Ind. Ind

### Application for citizenship

To The Honorable Henry L. Sawyer,  
Frank C. Armstrong, Archibald S.  
Mc Kinnon, Thomas B. Coburn,  
and Alexander B. Montgomery,  
United States Commissioners  
authorized by Act of Congress of  
June 1, 1876, to hear and determine  
claims for citizenship in the  
~~Creek~~ Creek Nation.

Gentlemen: The undersigned  
your petitioner, Mrs. Pink Come  
for and on behalf her heirs  
this day makes this their  
application to you for the purpose  
of being admitted to citizenship of  
the Creek Nation and be enrolled  
with those entitled to share  
in the distribution of funds  
and allotment of lands in the  
Creek Nation by virtue of their  
Catawba Blood and I herewith  
submit the following affidavit  
of P. J. Henry in support of said  
claims and await the time when  
this application shall be heard  
and tried.

Respectfully submitted  
Mrs Pink Evans  
Enrollment of Family with relation-  
ship attached as follows

| Names          | Relationship  |
|----------------|---------------|
| Mrs Pink Evans | the applicant |

Subscribed and sworn to before me  
this 27<sup>th</sup> day of August 1896

J. W. Norton  
Notary Public

1652  
No. 452

Wm. Pink Evans

v.

Leah Watson

Filed Aug. 31-96

H. W. Fairway Secy.

Record

So. Louisiana



Mr. R. J. Gentry  
can be reached by mail at  
Chicotah

Ind. Ex.  
Affidavit of R. J. Gentry

R. J. Gentry being duly sworn  
deposes and says I am personally  
acquainted with Mrs Mary Bowan  
maiden name Mary Gentry I am  
also acquainted with the applicant  
Pink Gordon wife of Geo Evans  
and a daughter of Mrs Mary Bowan  
by a former husband  
and that Mrs Mary Bowan maiden Mary  
Gentry was my own sister and is  
of the Catawba tribe of Indians by  
Blood, and that ~~the said Pink Gordon~~  
~~name Pink Gordon~~ was born to  
Mrs Mary Bowan in the year 1867  
and that the said Pink Gordon ~~maiden~~  
~~name~~ is now a Mrs Pink Evans  
and resides in the town of South Canadian  
Ind. Ex.

Signed - Robert J. Gentry

Subscribed and sworn to before me this  
27<sup>th</sup> day of August 1896

G. W. Newton  
Notary Public

My commission Exp Oct 15<sup>th</sup> 1896

**End**

CR 166

No. 1661 56

RECEIPT

FOR ORIGINAL PAPERS IN THE CASE OF

Jessie Johnson Et Al  
vs.  
George B. Peary et al.

*Orin*

Nation.

Received and filed this

day of

189.

Secretary.

RECEIVED FOR POST OFFICE

vs. .... Nation, as follows:



No 166

Jennie Johnson Et Al  
vs.

Green Nation

Appial Order of  
U. S Court

See

Thomas B. Posey  
Et Al

## NOTICE.

#56

United States of America,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

SS.

In the United States Court for said District.  
In the matter of the application of  
~~Jennie Johnson et als~~ to be  
enrolled as citizens of the Creek Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Jennie Johnson et als

to be enrolled as citizens of the Creek Nation, from said  
Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested  
by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a  
transcript of all the entries made in the docket of your tribunal relating to the case, together with the  
depositions and testimony taken before said tribunal; the decision thereof on the application, and all original  
papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 16th day of  
Dec. 1896.

A.D. 189

*William M. Springer*

Clerk.

Citizenship Case No. 56

Jimmie Johnson

vs.

Chick

Nation.

**SUMMONS.**

**FILED**

APR 2 1897

Suprice  
for Wm. W. Winston  
CLERK.

Wm. W. Winston

Attys. for Claimants.

166

Wm. W. Winston  
U. S. Marshal.  
By J. D. O'Connor  
Deputy.

# SUMMONS.

#56

United States of America, }  
INDIAN TERRITORY, } SS.  
NORTHERN DISTRICT.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,  
TO THE MARSHAL FOR THE NORTHERN DISTRICT, INDIAN TERRITORY:

You are commanded to summon the Principal Chief of the Creek Nation,  
or the Attorney General of said Nation, to answer on the first day of the next May  
Term of the United States Court for the Northern District, Indian Territory, at Muskogee, Indian Territory,  
being the 4 day of May A.D. 1897, a petition praying an appeal from the decision of the

Commission to the five civilized tribes

duly filed in said Court by

Jennie Johnson et al

who claim to be entitled to be enrolled as citizens of said Nation, to the United States Court for the Northern  
District, Indian Territory, which petition is now pending in said Court, and warn him that upon a failure to  
answer said petition within thirty days from the time of the service of this writ, the same will be taken for  
confessed, and you will make due return of this summons within ten days after the actual service of this writ.

Witness the Honorable William M. Springer, Judge of said Court, and the  
seal thereof, at Muskogee, Indian Territory, the 21 day of

May A.D. 1896

Lawrence Clerk.



MARSHAL'S RETURN.

I received this Summons the 21<sup>st</sup> day of December A.D. 1896  
and served the same as follows:

By delivering to Esparhecher as  
Principal Chief of Creek Nation  
a correct and complete copy  
of the within writ of Summons  
in manuscript in the 22<sup>nd</sup> day  
of December 1896 at 8<sup>00</sup> P M

*A. M. Rutherford*

U. S. Marshal.

By *J. S. O'Brien*

Deputy.

|  |  |         |
|--|--|---------|
| Citizenship Case No. <u>56</u>                         | <i>James Johnson</i><br>vs.<br><i>Reed</i> | Nation. |
| SUMMONS.   |  |         |
| FILED<br>APR 2 1897<br><i>John H. Winston</i><br>CLERK |  |         |
| Attys. for Claimants.                                  |  |         |

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**End**

**END  
OF  
REEL**

